

By: Hancock
(Kefffer)

S.B. No. 1162

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the nonsubstantive revision of certain local laws
3 concerning water and wastewater special districts, including
4 conforming amendments.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 ARTICLE 1. NONSUBSTANTIVE REVISION OF LOCAL LAWS

7 SECTION 1.01. Subtitle A, Title 6, Special District Local
8 Laws Code, is amended by adding Chapters 6610, 6611, 6612, 6613, and
9 6614 to read as follows:

10 CHAPTER 6610. SAN PATRICIO COUNTY DRAINAGE DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 6610.001. DEFINITIONS

13 Sec. 6610.002. NATURE OF DISTRICT

14 Sec. 6610.003. FINDINGS OF BENEFIT AND PURPOSE

15 Sec. 6610.004. DISTRICT TERRITORY

16 Sec. 6610.005. LIBERAL CONSTRUCTION OF CHAPTER

17 SUBCHAPTER B. DISTRICT ADMINISTRATION

18 Sec. 6610.051. COMPOSITION OF BOARD; TERMS

19 Sec. 6610.052. QUALIFICATIONS FOR OFFICE

20 Sec. 6610.053. DIRECTOR'S BOND

21 Sec. 6610.054. COMPENSATION OF DIRECTORS

22 Sec. 6610.055. BOARD VACANCY

23 Sec. 6610.056. BOARD MEETINGS

24 Sec. 6610.057. DISTRICT OFFICE

- 1 Sec. 6610.058. DISTRICT EMPLOYEES
- 2 SUBCHAPTER C. POWERS AND DUTIES
- 3 Sec. 6610.101. GENERAL POWERS
- 4 Sec. 6610.102. GENERAL RECLAMATION AND DRAINAGE POWERS
- 5 Sec. 6610.103. ACQUISITION OF PROPERTY; EMINENT DOMAIN
- 6 Sec. 6610.104. CONSTRUCTION ON PUBLIC LAND
- 7 Sec. 6610.105. COST OF RELOCATING OR ALTERING PROPERTY
- 8 Sec. 6610.106. DISPOSAL OF DISTRICT PROPERTY
- 9 Sec. 6610.107. DISPOSAL OF IMPOUNDED WATER
- 10 Sec. 6610.108. CONTRACTS AND COOPERATION WITH STATE
- 11 AND POLITICAL SUBDIVISIONS
- 12 Sec. 6610.109. ARRANGEMENTS WITH UNITED STATES
- 13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
- 14 Sec. 6610.151. DISBURSEMENT OF MONEY
- 15 Sec. 6610.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;
- 16 PUBLIC INSPECTION
- 17 Sec. 6610.153. FILING OF COPIES OF AUDIT REPORT
- 18 Sec. 6610.154. DEPOSITORY
- 19 SUBCHAPTER E. TAXES
- 20 Sec. 6610.201. AD VALOREM TAX FOR MAINTENANCE AND
- 21 OPERATION
- 22 Sec. 6610.202. ELECTION FOR MAINTENANCE AND OPERATION
- 23 TAX
- 24 Sec. 6610.203. TAX ASSESSOR-COLLECTOR
- 25 Sec. 6610.204. CERTIFICATION OF TAX RATE

SUBCHAPTER F. BONDS

Sec. 6610.251. AUTHORITY TO ISSUE BONDS; TAXES FOR

BONDS

Sec. 6610.252. FORM OF BONDS

Sec. 6610.253. MATURITY

Sec. 6610.254. ELECTION REQUIRED

Sec. 6610.255. USE OF BOND PROCEEDS

CHAPTER 6610. SAN PATRICIO COUNTY DRAINAGE DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6610.001. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "Commissioners court" means the San Patricio County Commissioners Court.

(3) "Director" means a member of the board.

(4) "District" means the San Patricio County Drainage District. (Acts 61st Leg., R.S., Ch. 187, Sec. 1 (part); New.)

Sec. 6610.002. NATURE OF DISTRICT. The district is a conservation and reclamation district created under Section 59, Article XVI, Texas Constitution, to provide drainage for the district and reclamation and drainage of the district's overflowed lands and other lands needing drainage. (Acts 61st Leg., R.S., Ch. 187, Sec. 1 (part).)

Sec. 6610.003. FINDINGS OF BENEFIT AND PURPOSE. (a) All property in the district and in this state will benefit from the district, the improvements and facilities acquired or constructed under this chapter, and all the provisions of this chapter.

1 (b) The creation of the district is essential to accomplish
2 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
3 61st Leg., R.S., Ch. 187, Secs. 1 (part), 17.)

4 Sec. 6610.004. DISTRICT TERRITORY. The district's
5 boundaries are coextensive with the boundaries of San Patricio
6 County unless the district's territory has been modified under:

- 7 (1) Subchapter J, Chapter 49, Water Code; or
8 (2) other law. (Acts 61st Leg., R.S., Ch. 187, Sec. 1
9 (part); New.)

10 Sec. 6610.005. LIBERAL CONSTRUCTION OF CHAPTER. This
11 chapter shall be liberally construed to effect its purposes. (Acts
12 61st Leg., R.S., Ch. 187, Sec. 16.)

13 SUBCHAPTER B. DISTRICT ADMINISTRATION

14 Sec. 6610.051. COMPOSITION OF BOARD; TERMS. (a) The board
15 consists of five directors appointed by the commissioners court as
16 follows:

17 (1) one director appointed from each county
18 commissioners precinct; and

19 (2) one director appointed from the county at large.

20 (b) Directors serve staggered two-year terms, with the
21 terms of two directors expiring on January 31 of each even-numbered
22 year and the terms of three directors expiring on January 31 of each
23 odd-numbered year.

24 (c) In January of each year, the commissioners court shall
25 appoint directors to succeed directors whose term of office will
26 expire January 31. The appointed directors' terms begin on
27 February 1 of that year. (Acts 61st Leg., R.S., Ch. 187, Sec. 4

1 (part).)

2 Sec. 6610.052. QUALIFICATIONS FOR OFFICE. (a) A director
3 must:

4 (1) be at least 18 years of age;

5 (2) be a resident of this state; and

6 (3) own land subject to taxation in the district.

7 (b) A director appointed from a county commissioners
8 precinct must be a resident of the precinct for which the director
9 is appointed.

10 (c) A person is not eligible to serve as a director if the
11 person owes delinquent taxes to San Patricio County. (Acts 61st
12 Leg., R.S., Ch. 187, Sec. 4 (part).)

13 Sec. 6610.053. DIRECTOR'S BOND. (a) Each director shall
14 furnish a bond for \$5,000 payable to the district and conditioned on
15 faithful performance of the director's duties.

16 (b) The bonds must be submitted to the commissioners court
17 for approval. (Acts 61st Leg., R.S., Ch. 187, Sec. 4 (part).)

18 Sec. 6610.054. COMPENSATION OF DIRECTORS. (a) Each
19 director shall receive compensation as set by the commissioners
20 court in an amount not to exceed the sum of \$2,400 in any one
21 calendar year.

22 (b) In all areas of conflict with Subsection (a) of this
23 section, Section 49.060, Water Code, takes precedence.

24 (c) A director's compensation may be increased as
25 authorized by Section 49.060, Water Code, by resolution adopted by
26 the board in accordance with Subsection (e) of that section on or
27 after September 1, 1995. (Acts 61st Leg., R.S., Ch. 187, Sec. 8

1 (part); New.)

2 Sec. 6610.055. BOARD VACANCY. If a vacancy occurs in the
3 office of director, the commissioners court shall appoint a
4 director for the unexpired term. (Acts 61st Leg., R.S., Ch. 187,
5 Sec. 4 (part).)

6 Sec. 6610.056. BOARD MEETINGS. (a) The board shall hold
7 regular meetings at least once each calendar month at times
8 prescribed by order adopted by the board.

9 (b) The board shall hold special meetings when called by the
10 board president or by any two other directors. The board secretary
11 shall give written notice of a special meeting to each director. A
12 director may waive the notice. (Acts 61st Leg., R.S., Ch. 187, Sec.
13 5 (part).)

14 Sec. 6610.057. DISTRICT OFFICE. The board shall designate
15 the location of the district's principal office at any place within
16 the district. (Acts 61st Leg., R.S., Ch. 187, Sec. 6 (part).)

17 Sec. 6610.058. DISTRICT EMPLOYEES. (a) The board shall
18 set the compensation of the general manager, attorneys, engineers,
19 and all other employees of the district.

20 (b) The board shall set the term and time of employment of
21 all employees of the district and the method by which an employee
22 may be discharged. (Acts 61st Leg., R.S., Ch. 187, Sec. 8 (part).)

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 6610.101. GENERAL POWERS. (a) The district has the
25 powers of government and may exercise the rights, privileges, and
26 functions provided under this chapter.

27 (b) The district may perform any act necessary or proper to

1 carry out a district purpose. (Acts 61st Leg., R.S., Ch. 187, Secs.
2 1 (part), 10 (part).)

3 Sec. 6610.102. GENERAL RECLAMATION AND DRAINAGE POWERS.

4 The district may:

5 (1) devise plans and construct works to lessen and
6 control floods and excess water;

7 (2) reclaim land in the district;

8 (3) provide drainage facilities and improvements for
9 the reclamation and drainage of the overflowed land and other land
10 in the district that needs drainage;

11 (4) acquire and construct properties, facilities, and
12 improvements inside or outside the district that in the judgment of
13 the board are necessary to lessen and control floods in the district
14 or to facilitate drainage and reclamation of land in the district;

15 (5) remove natural or artificial obstructions from
16 streams and watercourses; and

17 (6) clean, straighten, widen, and maintain streams,
18 watercourses, and drainage ditches. (Acts 61st Leg., R.S., Ch.
19 187, Sec. 10 (part).)

20 Sec. 6610.103. ACQUISITION OF PROPERTY; EMINENT DOMAIN.

21 (a) The district, by gift, devise, purchase, lease, or
22 condemnation, may acquire an easement, right-of-way, or other
23 property needed to carry on the work of the district.

24 (b) The district may exercise the power of eminent domain.
25 Procedures with reference to condemnation, the assessment and
26 estimation of damages, payment, appeal, and entrance on property
27 pending appeal, and all other procedures prescribed by Chapter 21,

1 Property Code, apply to the district. (Acts 61st Leg., R.S., Ch.
2 187, Sec. 10 (part).)

3 Sec. 6610.104. CONSTRUCTION ON PUBLIC LAND. (a) The
4 district may construct, acquire, own, and operate works, ditches,
5 canals, or other improvements over, across, through, under, or
6 along:

7 (1) a public stream, canal, road, or highway; or

8 (2) land belonging to this state.

9 (b) A plan for an improvement under Subsection (a) on a
10 state highway is subject to the approval of the Texas Department of
11 Transportation.

12 (c) A plan for an improvement under Subsection (a) on Texas
13 Department of Criminal Justice land is subject to the approval of
14 the Texas Board of Criminal Justice.

15 (d) A plan for an improvement of a public water supply canal
16 or public stream under Subsection (a) is subject to the approval of
17 the state or federal agency that has jurisdiction over or that owns
18 the public water supply canal or stream. (Acts 61st Leg., R.S., Ch.
19 187, Sec. 10 (part).)

20 Sec. 6610.105. COST OF RELOCATING OR ALTERING PROPERTY.

21 (a) In this section, "sole expense" means the actual cost of
22 relocating, raising, lowering, rerouting, changing the grade of, or
23 altering the construction of a facility described by Subsection (b)
24 in providing comparable replacement without enhancement of the
25 facility, after deducting from that cost the net salvage value of
26 the old facility.

27 (b) If the district's exercise of the power of eminent

1 domain, the power of relocation, or any other power makes necessary
2 the relocating, raising, lowering, rerouting, changing the grade
3 of, or altering the construction of a railroad, the necessary
4 action shall be accomplished at the sole expense of the district.
5 (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

6 Sec. 6610.106. DISPOSAL OF DISTRICT PROPERTY. (a) The
7 district may sell, trade, or otherwise dispose of property or a
8 property right that is no longer needed for a district purpose.

9 (b) District land that adjoins privately owned land shall
10 revert to the adjoining landowner when no longer needed for a
11 district purpose. (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

12 Sec. 6610.107. DISPOSAL OF IMPOUNDED WATER. The district
13 may sell or otherwise dispose of any water impounded by a district
14 improvement under conditions, contracts, and terms determined by
15 the board, subject to the approval of any other political
16 subdivision that has been granted rights to the water before May 13,
17 1969. (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

18 Sec. 6610.108. CONTRACTS AND COOPERATION WITH STATE AND
19 POLITICAL SUBDIVISIONS. The district may cooperate and contract
20 with an agency or political subdivision of this state to carry out a
21 district purpose. (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

22 Sec. 6610.109. ARRANGEMENTS WITH UNITED STATES. (a) The
23 district may cooperate with, contract with, or receive a grant,
24 loan, or advancement from the United States to carry out a district
25 power or to further a district purpose.

26 (b) The district may contribute to the United States in
27 connection with any project that is undertaken by the United States

1 and affects or relates to a district purpose. (Acts 61st Leg.,
2 R.S., Ch. 187, Sec. 10 (part).)

3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4 Sec. 6610.151. DISBURSEMENT OF MONEY. The district may
5 disburse its money only by a check, draft, order, or other written
6 instrument signed by a person authorized to sign the instrument by
7 board order or resolution. (Acts 61st Leg., R.S., Ch. 187, Sec. 7
8 (part).)

9 Sec. 6610.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;
10 PUBLIC INSPECTION. (a) The board shall keep complete and accurate
11 accounts conforming to approved methods of bookkeeping.

12 (b) The accounts and all contracts, documents, and records
13 of the district shall be maintained at a place or places in the
14 district designated by the board.

15 (c) All contracts, documents, and records of the district
16 shall be open for public inspection at all reasonable times. (Acts
17 61st Leg., R.S., Ch. 187, Sec. 7 (part).)

18 Sec. 6610.153. FILING OF COPIES OF AUDIT REPORT. Copies of
19 the audit report prepared under Subchapter G, Chapter 49, Water
20 Code, shall be certified to by the accountant who performed the
21 audit and filed:

22 (1) as required by Section 49.194, Water Code; and

23 (2) with the state auditor. (Acts 61st Leg., R.S., Ch.
24 187, Sec. 7 (part); New.)

25 Sec. 6610.154. DEPOSITORY. (a) The board shall designate
26 one or more banks in the district to serve as a depository for
27 district money.

1 (b) All district money shall be deposited in a depository
2 bank, except that sufficient money shall be remitted to the
3 appropriate bank of payment to pay the principal of and interest on
4 the district's outstanding bonds on or before the maturity date of
5 the principal and interest.

6 (c) To the extent that money in a depository bank is not
7 insured by the Federal Deposit Insurance Corporation, the money
8 must be secured in the manner provided by law for the security of
9 county funds.

10 (d) If the board designates a depository bank as the
11 treasurer of the district, the bank shall serve as the treasurer.
12 (Acts 61st Leg., R.S., Ch. 187, Sec. 9.)

13 SUBCHAPTER E. TAXES

14 Sec. 6610.201. AD VALOREM TAX FOR MAINTENANCE AND
15 OPERATION. (a) The board may impose an annual ad valorem tax at a
16 rate not to exceed 35 cents on each \$100 valuation of taxable
17 property in the district for the maintenance, operation, upkeep,
18 and improvement of the district and the district's facilities,
19 properties, and improvements.

20 (b) The board may hold elections to increase, reduce, or
21 abate a tax imposed under this section, subject to the limitation
22 prescribed by Subsection (a).

23 (c) An election to authorize the imposition of the tax or a
24 subsequent tax election must be held as provided by Section
25 6610.202. (Acts 61st Leg., R.S., Ch. 187, Sec. 14 (part).)

26 Sec. 6610.202. ELECTION FOR MAINTENANCE AND OPERATION TAX.
27 (a) The order calling an election under Section 6610.201 must

1 specify:

- 2 (1) the date of the election;
- 3 (2) the location of the voting places; and
- 4 (3) the presiding judge for each voting place.

5 (b) Notice of the election must be given by publishing a
6 substantial copy of the order calling the election in a newspaper of
7 general circulation in San Patricio County. The notice must be
8 published once each week for two consecutive weeks. The first
9 publication must be at least 14 days before the date of the
10 election.

11 (c) In addition to the requirements of the Election Code,
12 the ballots for an election for the imposition of a maintenance and
13 operation tax must have printed on them "For Maintenance tax" and
14 the contrary of that proposition.

15 (d) The failure of an election does not prohibit subsequent
16 elections for the same purpose. (Acts 61st Leg., R.S., Ch. 187,
17 Secs. 2 (part), 14 (part).)

18 Sec. 6610.203. TAX ASSESSOR-COLLECTOR. The San Patricio
19 County tax assessor-collector shall assess and collect taxes
20 imposed by the board. (Acts 61st Leg., R.S., Ch. 187, Sec. 15
21 (part).)

22 Sec. 6610.204. CERTIFICATION OF TAX RATE. Each year, the
23 board shall certify to the San Patricio County tax
24 assessor-collector the rate or rates of tax that the board has
25 imposed for bond and maintenance purposes. (Acts 61st Leg., R.S.,
26 Ch. 187, Sec. 15 (part).)

SUBCHAPTER F. BONDS

Sec. 6610.251. AUTHORITY TO ISSUE BONDS; TAXES FOR BONDS.

(a) The board may issue district bonds to acquire money to accomplish any district purpose or carry out any power granted under this chapter to the district.

(b) The board may impose continuing direct annual ad valorem taxes on all taxable property in the district sufficient to:

(1) provide for the payment of the interest on the bonds as the interest accrues; and

(2) create and provide for a sinking fund to pay the principal of the bonds as the principal matures. (Acts 61st Leg., R.S., Ch. 187, Sec. 11 (part).)

Sec. 6610.252. FORM OF BONDS. District bonds and any interest coupons appurtenant to the bonds must be signed and executed as provided by the board in the order authorizing the issuance of the bonds. (Acts 61st Leg., R.S., Ch. 187, Sec. 11 (part).)

Sec. 6610.253. MATURITY. District bonds must mature not later than 40 years after their date of issuance. (Acts 61st Leg., R.S., Ch. 187, Sec. 11 (part).)

Sec. 6610.254. ELECTION REQUIRED. (a) Bonds, other than refunding bonds, may not be issued under Section 6610.251 unless first authorized by a majority of the voters voting at an election held to determine whether the bonds should be issued and whether a tax should be imposed to pay the principal of and interest on the bonds.

(b) If a majority of the voters voting at a district bond

1 election vote in favor of the issuance of bonds and the imposition
2 of taxes, the board may:

3 (1) issue, sell, and deliver the bonds;

4 (2) receive and use the proceeds for district
5 purposes; and

6 (3) impose taxes on all taxable property in the
7 district sufficient to pay the interest on and principal of the
8 bonds.

9 (c) Notice of the election shall be given in the manner
10 provided by Section 6610.202.

11 (d) In addition to the requirements of the Election Code,
12 the ballots must have printed on them "For the bonds and levy of
13 taxes in payment thereof" and the contrary of that proposition.
14 (Acts 61st Leg., R.S., Ch. 187, Sec. 11 (part); New.)

15 Sec. 6610.255. USE OF BOND PROCEEDS. (a) The board may
16 appropriate or set aside out of proceeds from the sale of district
17 bonds an amount for:

18 (1) the payment of interest expected to accrue during
19 the period of construction of improvements or facilities; and

20 (2) the payment of all expenses incurred and to be
21 incurred in the issuance, sale, and delivery of the bonds.

22 (b) For purposes of this section, the period of construction
23 may not exceed three years. (Acts 61st Leg., R.S., Ch. 187, Sec.
24 13(a).)

25 CHAPTER 6611. WILLACY COUNTY DRAINAGE DISTRICT NO. 2

26 SUBCHAPTER A. GENERAL PROVISIONS

27 Sec. 6611.001. DEFINITIONS

- 1 Sec. 6611.002. NATURE OF DISTRICT
- 2 Sec. 6611.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 3 Sec. 6611.004. DISTRICT TERRITORY
- 4 SUBCHAPTER B. DISTRICT ADMINISTRATION
- 5 Sec. 6611.051. COMPOSITION OF BOARD
- 6 Sec. 6611.052. DUTIES OF COUNTY OFFICIALS IN
- 7 CONNECTION WITH DISTRICT; DISTRICT
- 8 OFFICERS, EMPLOYEES, AND AGENTS
- 9 SUBCHAPTER C. POWERS AND DUTIES
- 10 Sec. 6611.101. GENERAL POWERS AND DUTIES
- 11 Sec. 6611.102. DISTRICT POWERS
- 12 Sec. 6611.103. EMINENT DOMAIN
- 13 Sec. 6611.104. COST OF RELOCATING OR ALTERING PROPERTY
- 14 Sec. 6611.105. ADDITION OF TERRITORY TO DISTRICT
- 15 SUBCHAPTER D. TAXES
- 16 Sec. 6611.151. AD VALOREM TAX FOR MAINTENANCE AND
- 17 OPERATIONS
- 18 Sec. 6611.152. TAX ASSESSOR-COLLECTOR
- 19 SUBCHAPTER E. BONDS
- 20 Sec. 6611.201. AUTHORITY TO ISSUE BONDS; TAXES FOR
- 21 BONDS
- 22 Sec. 6611.202. LIMITATION ON DEBT
- 23 Sec. 6611.203. MATURITY
- 24 Sec. 6611.204. BOND ELECTION
- 25 CHAPTER 6611. WILLACY COUNTY DRAINAGE DISTRICT NO. 2
- 26 SUBCHAPTER A. GENERAL PROVISIONS
- 27 Sec. 6611.001. DEFINITIONS. In this chapter:

1 (1) "Board" means the board of directors of the
2 district.

3 (2) "Director" means a member of the board.

4 (3) "District" means the Willacy County Drainage
5 District No. 2. (Acts 61st Leg., R.S., Ch. 11, Sec. 1 (part); New.)

6 Sec. 6611.002. NATURE OF DISTRICT. The district is a
7 conservation and reclamation district created under Section 59,
8 Article XVI, Texas Constitution, for the sole purpose of the
9 reclamation and drainage of the district's overflowed lands and
10 other lands needing drainage. (Acts 61st Leg., R.S., Ch. 11, Secs.
11 1 (part), 3 (part).)

12 Sec. 6611.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

13 (a) The district is created to serve a public use and benefit.

14 (b) All land and other property included in the district
15 will benefit from the creation of the district and the improvements
16 the district will purchase, construct, or otherwise acquire.

17 (c) The district is essential to accomplish the purposes of
18 Section 59, Article XVI, Texas Constitution. (Acts 61st Leg.,
19 R.S., Ch. 11, Secs. 11, 13.)

20 Sec. 6611.004. DISTRICT TERRITORY. The district is
21 composed of the territory described by Section 2, Chapter 11, Acts
22 of the 61st Legislature, Regular Session, 1969, as that territory
23 may have been modified under:

24 (1) Subchapter G, Chapter 53, Water Code, before
25 September 1, 1995;

26 (2) Subchapter J, Chapter 49, Water Code; or

27 (3) other law. (New.)

1 SUBCHAPTER B. DISTRICT ADMINISTRATION

2 Sec. 6611.051. COMPOSITION OF BOARD. The board consists of
3 five elected directors. (Acts 61st Leg., R.S., Ch. 11, Sec. 5
4 (part).)

5 Sec. 6611.052. DUTIES OF COUNTY OFFICIALS IN CONNECTION
6 WITH DISTRICT; DISTRICT OFFICERS, EMPLOYEES, AND AGENTS. (a) The
7 county tax assessor-collector, county treasurer, and county
8 depository of Willacy County shall perform all duties in connection
9 with the district that they are required to perform by law in
10 connection with official matters for Willacy County.

11 (b) The board may employ a general manager for the district
12 and any other agents, attorneys, engineers, and employees
13 considered necessary in connection with the purposes of this
14 chapter. All compensation for a person employed under this
15 subsection may be payable from funds created under this chapter for
16 the maintenance and operation of the district. (Acts 61st Leg.,
17 R.S., Ch. 11, Sec. 7.)

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 6611.101. GENERAL POWERS AND DUTIES. To accomplish
20 the purpose of reclaiming and draining the district's overflowed
21 lands and other lands needing drainage, the district has all the
22 rights, powers, privileges, and duties provided by general law
23 applicable to a fresh water supply district created under Section
24 59, Article XVI, Texas Constitution, including the power to
25 conserve, transport, and distribute fresh water. (Acts 61st Leg.,
26 R.S., Ch. 11, Sec. 3 (part).)

27 Sec. 6611.102. DISTRICT POWERS. (a) The district may

1 construct, acquire, improve, enlarge, extend, repair, maintain, or
2 replace any wall, dam, dike, levee, embankment, canal, drain, tank,
3 lateral, or pump that the board considers necessary to carry out the
4 district's purpose.

5 (b) The district may make, construct, or otherwise acquire
6 an improvement inside or outside the district's boundaries as
7 necessary to carry out the powers granted by this chapter or general
8 law. (Acts 61st Leg., R.S., Ch. 11, Sec. 3 (part).)

9 Sec. 6611.103. EMINENT DOMAIN. The district's power of
10 eminent domain is confined to Willacy County. (Acts 61st Leg.,
11 R.S., Ch. 11, Sec. 4.)

12 Sec. 6611.104. COST OF RELOCATING OR ALTERING PROPERTY.

13 (a) In this section, "sole expense" means the actual cost of
14 relocating, raising, lowering, rerouting, changing the grade of, or
15 altering the construction of a facility described by Subsection (b)
16 in providing comparable replacement without enhancement of the
17 facility, after deducting from that cost the net salvage value of
18 the old facility.

19 (b) If the district's exercise of the power of eminent
20 domain, the power of relocation, or any other power granted under
21 this chapter makes necessary relocating, raising, rerouting,
22 changing the grade of, or altering the construction of a highway,
23 railroad, electric transmission line, telephone or telegraph
24 property or facility, or pipeline, the necessary action shall be
25 accomplished at the sole expense of the district. (Acts 61st Leg.,
26 R.S., Ch. 11, Sec. 3 (part).)

27 Sec. 6611.105. ADDITION OF TERRITORY TO DISTRICT. (a) In

1 addition to adding land as provided by Subchapter J, Chapter 49,
2 Water Code, the district may add land as provided by this section.
3 Land added to the district need not be contiguous to the district.

4 (b) The owner or owners of land may request by petition that
5 the board include the land in the district.

6 (c) A petition under Subsection (b) must be filed with the
7 board and describe the land to be added to the district. The
8 description may be by metes and bounds or by lot and block number.
9 The petition must be signed and executed in the manner provided by
10 law for the conveyance of real estate.

11 (d) The board shall hear and consider a petition filed under
12 this section. The board may grant the petition and add the land to
13 the district if the board considers the addition to be to the
14 advantage of the district.

15 (e) A petition granted under this section shall be filed and
16 recorded in the deed records of Willacy County. (Acts 61st Leg.,
17 R.S., Ch. 11, Sec. 12.)

18 SUBCHAPTER D. TAXES

19 Sec. 6611.151. AD VALOREM TAX FOR MAINTENANCE AND
20 OPERATIONS. (a) The board may impose a tax at a rate not to exceed
21 25 cents on each \$100 valuation of taxable property in the district
22 to pay the cost of maintaining district property and operating the
23 district.

24 (b) An election to authorize the imposition of the tax must
25 be called by the board in the manner provided by Section 6611.204.
26 (Acts 61st Leg., R.S., Ch. 11, Sec. 10 (part).)

27 Sec. 6611.152. TAX ASSESSOR-COLLECTOR. The Willacy County

1 tax assessor-collector is the tax assessor-collector for the
2 district. (Acts 61st Leg., R.S., Ch. 11, Sec. 10 (part); New.)

3 SUBCHAPTER E. BONDS

4 Sec. 6611.201. AUTHORITY TO ISSUE BONDS; TAXES FOR BONDS.

5 (a) The board may issue district bonds to acquire money to
6 accomplish any district purpose or carry out any power granted
7 under this chapter to the district.

8 (b) The board may impose a tax on all taxable property in the
9 district, as shown by the most recent certified appraisal roll of
10 the district, sufficient to:

11 (1) provide for the payment of the interest on the
12 bonds as the interest accrues; and

13 (2) create a sinking fund for the redemption of the
14 bonds as the bonds mature. (Acts 61st Leg., R.S., Ch. 11, Sec. 8(a)
15 (part).)

16 Sec. 6611.202. LIMITATION ON DEBT. The total principal
17 amount of bonds issued under Section 6611.201 that the district may
18 have outstanding at any time may not exceed 15 percent of the
19 assessed value of all taxable property in the district as shown by
20 the most recent appraisal roll of the district. (Acts 61st Leg.,
21 R.S., Ch. 11, Sec. 8(a) (part).)

22 Sec. 6611.203. MATURITY. District bonds issued under
23 Section 6611.201 must mature not later than 30 years after their
24 date of issuance. (Acts 61st Leg., R.S., Ch. 11, Sec. 8(e) (part).)

25 Sec. 6611.204. BOND ELECTION. (a) The board may submit a
26 proposition for the issuance of district bonds under Section
27 6611.201 at an election called for that purpose at any time the

1 board considers proper.

2 (b) Chapter 1251, Government Code, applies to a district
3 bond election except to the extent of any conflict with this
4 chapter.

5 (c) If a majority of the voters voting at a district bond
6 election vote in favor of the issuance of bonds and the imposition
7 of taxes, the board may:

8 (1) issue, sell, and deliver the bonds;

9 (2) receive, use, and apply the proceeds for district
10 purposes; and

11 (3) impose taxes on all property subject to taxation
12 in the district. (Acts 61st Leg., R.S., Ch. 11, Secs. 8(b) (part),
13 (c) (part).)

14 CHAPTER 6612. CAMERON COUNTY DRAINAGE DISTRICT NO. 1

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 6612.001. DEFINITIONS

17 Sec. 6612.002. NATURE OF DISTRICT

18 Sec. 6612.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

19 Sec. 6612.004. DISTRICT TERRITORY

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 6612.051. COMPOSITION OF BOARD

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 6612.101. GENERAL POWERS AND DUTIES

24 CHAPTER 6612. CAMERON COUNTY DRAINAGE DISTRICT NO. 1

25 SUBCHAPTER A. GENERAL PROVISIONS

26 Sec. 6612.001. DEFINITIONS. In this chapter:

27 (1) "Board" means the board of directors of the

1 district.

2 (2) "Commissioners court" means the Cameron County
3 Commissioners Court.

4 (3) "Director" means a member of the board.

5 (4) "District" means the Cameron County Drainage
6 District No. 1. (Acts 41st Leg., R.S., Ch. 145, Sec. 5 (part);
7 New.)

8 Sec. 6612.002. NATURE OF DISTRICT. The district is a
9 conservation and reclamation district in Cameron County created
10 under Section 59, Article XVI, Texas Constitution, for all purposes
11 of that section, including the reclamation and drainage of its
12 seeped, salty, waterlogged, and overflowed land and other land
13 needing drainage. (Acts 41st Leg., R.S., Ch. 145, Secs. 1 (part), 2
14 (part), 5 (part).)

15 Sec. 6612.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

16 (a) The conversion of the district into a conservation and
17 reclamation district under Section 59, Article XVI, Texas
18 Constitution, and the provision to the district of the powers
19 conferred by that section:

20 (1) will benefit the residents and property in the
21 district; and

22 (2) benefit all property included in the district.

23 (b) No property which is benefited is not included in the
24 district.

25 (c) The district is essential to accomplish the purposes of
26 Section 59, Article XVI, Texas Constitution. (Acts 41st Leg.,
27 R.S., Ch. 145, Secs. 2 (part), 11 (part).)

1 Sec. 6612.004. DISTRICT TERRITORY. The district is
2 composed of the territory described by Section 1, Chapter 145, Acts
3 of the 41st Legislature, Regular Session, 1929, as that territory
4 may have been modified under:

5 (1) Subchapter I, Chapter 56, Water Code, before
6 September 1, 1995;

7 (2) Subchapter J, Chapter 56, Water Code;

8 (3) Subchapter J, Chapter 49, Water Code; or

9 (4) other law. (New.)

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 6612.051. COMPOSITION OF BOARD. The board consists of
12 three directors appointed by the commissioners court. (Acts 41st
13 Leg., R.S., Ch. 145, Sec. 4 (part).)

14 SUBCHAPTER C. POWERS AND DUTIES

15 Sec. 6612.101. GENERAL POWERS AND DUTIES. (a) The
16 district has the:

17 (1) rights, powers, functions, and privileges
18 provided to a conservation and reclamation district by the Texas
19 Constitution and general law;

20 (2) rights, powers, privileges, and duties provided to
21 a drainage district created under Section 59, Article XVI, Texas
22 Constitution, and organized under general law, including Chapters
23 49 and 56, Water Code; and

24 (3) powers of government and the authority to exercise
25 the rights, privileges, and functions conferred by this chapter.

26 (b) The district has the right and power of a drainage
27 district organized under Chapter 56, Water Code, to impose taxes

1 and issue bonds. (Acts 41st Leg., R.S., Ch. 145, Secs. 1 (part), 5
2 (part), 7 (part), 11 (part); New.)

3 CHAPTER 6613. CAMERON COUNTY DRAINAGE DISTRICT NO. 3

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 6613.001. DEFINITIONS

6 Sec. 6613.002. NATURE OF DISTRICT

7 Sec. 6613.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

8 Sec. 6613.004. DISTRICT TERRITORY

9 SUBCHAPTER B. BOARD OF DIRECTORS

10 Sec. 6613.051. COMPOSITION OF BOARD

11 Sec. 6613.052. COMPENSATION OF DIRECTORS

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 6613.101. GENERAL POWERS

14 Sec. 6613.102. CONTROL, CONSTRUCTION, AND REPAIR OF
15 DISTRICT IMPROVEMENTS; CONTRACTS FOR
16 NEW CONSTRUCTION

17 SUBCHAPTER D. FINANCIAL PROVISIONS

18 Sec. 6613.151. TAXES

19 Sec. 6613.152. DISTRICT FUNDS

20 CHAPTER 6613. CAMERON COUNTY DRAINAGE DISTRICT NO. 3

21 SUBCHAPTER A. GENERAL PROVISIONS

22 Sec. 6613.001. DEFINITIONS. In this chapter:

23 (1) "Board" means the board of directors of the
24 district.

25 (2) "Director" means a member of the board.

26 (3) "District" means the Cameron County Drainage
27 District No. 3. (Acts 41st Leg., R.S., Ch. 45, Secs. 3 (part), 10

1 (part); New.)

2 Sec. 6613.002. NATURE OF DISTRICT. The district is a
3 drainage district created as a conservation and reclamation
4 district under Section 59, Article XVI, Texas Constitution. (Acts
5 41st Leg., R.S., Ch. 45, Secs. 3 (part), 10 (part).)

6 Sec. 6613.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

7 (a) The conversion of the district into a conservation and
8 reclamation district under Section 59, Article XVI, Texas
9 Constitution:

10 (1) is feasible, practicable, and needed;

11 (2) will be a public benefit and a public utility; and

12 (3) will benefit all land and property included in the
13 district.

14 (b) All property in the district is benefited, and no
15 property benefited is not included in the district.

16 (c) No land is included in the district except land that
17 will be benefited. (Acts 41st Leg., R.S., Ch. 45, Secs. 2 (part), 3
18 (part).)

19 Sec. 6613.004. DISTRICT TERRITORY. The district is
20 composed of the territory described by Section 2, Chapter 45, Acts
21 of the 41st Legislature, Regular Session, 1929, as that territory
22 may have been modified under:

23 (1) Subchapter J, Chapter 49, Water Code; or

24 (2) other law. (New.)

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 6613.051. COMPOSITION OF BOARD. The board consists of
27 three directors. (Acts 41st Leg., R.S., Ch. 45, Sec. 6 (part);

1 New.)

2 Sec. 6613.052. COMPENSATION OF DIRECTORS. (a) A director
3 shall receive for the director's services not more than \$5 per day
4 for the time the director is actually engaged in the work of the
5 district, which shall be set by order of the commissioners court.

6 (b) In all areas of conflict with Subsection (a) of this
7 section, Section 49.060, Water Code, takes precedence.

8 (c) A director's compensation may be increased as
9 authorized by Section 49.060, Water Code, by resolution adopted by
10 the board in accordance with Subsection (e) of that section on or
11 after September 1, 1995. (Acts 41st Leg., R.S., Ch. 45, Sec. 6
12 (part); New.)

13 SUBCHAPTER C. POWERS AND DUTIES

14 Sec. 6613.101. GENERAL POWERS. The district has the
15 powers, functions, and privileges provided under Section 59,
16 Article XVI, Texas Constitution, and the general laws governing
17 drainage districts. (Acts 41st Leg., R.S., Ch. 45, Secs. 9 (part),
18 10 (part).)

19 Sec. 6613.102. CONTROL, CONSTRUCTION, AND REPAIR OF
20 DISTRICT IMPROVEMENTS; CONTRACTS FOR NEW CONSTRUCTION. (a) The
21 board may control and supervise the construction and maintenance of
22 canals, drains, ditches, levees, and other improvements of the
23 district and shall keep them in repair.

24 (b) The board may construct new improvements necessary for
25 the drainage of land in the district.

26 (c) A contract for new construction may or may not be let on
27 bids and contracts as provided by law, within the discretion of the

1 board as may seem for the best interest of the district. (Acts 41st
2 Leg., R.S., Ch. 45, Sec. 4.)

3 SUBCHAPTER D. FINANCIAL PROVISIONS

4 Sec. 6613.151. TAXES. The board shall annually impose
5 taxes on all taxable property in the district:

6 (1) in an amount sufficient to pay the interest as it
7 becomes due on district bonds and to create a sinking fund for the
8 payment of the bonds at maturity; and

9 (2) to pay for the maintenance and operation of the
10 district and necessary improvements to be made for the district.
11 (Acts 41st Leg., R.S., Ch. 45, Sec. 5.)

12 Sec. 6613.152. DISTRICT FUNDS. (a) The interest and
13 sinking fund consists of taxes collected for the fund. Money in the
14 interest and sinking fund may be paid out only to:

15 (1) pay district bonds and satisfy and discharge
16 interest on the bonds; and

17 (2) defray the expense of imposing a tax for the fund.

18 (b) The maintenance and improvement fund consists of money
19 collected by assessment or other sources for:

20 (1) the maintenance of property owned or acquired by
21 the district;

22 (2) necessary improvements to be made by the district;
23 and

24 (3) the general purposes of the district. (Acts 41st
25 Leg., R.S., Ch. 45, Secs. 7, 8.)

1 CHAPTER 6614. OLD RIVER DRAINAGE DISTRICT OF LIBERTY COUNTY,
2 TEXAS, NO. 1

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 6614.001. DEFINITION

5 Sec. 6614.002. NATURE OF DISTRICT

6 Sec. 6614.003. FINDINGS OF BENEFIT

7 Sec. 6614.004. GOVERNING LAW

8 SUBCHAPTER B. POWERS

9 Sec. 6614.051. GENERAL POWERS

10 CHAPTER 6614. OLD RIVER DRAINAGE DISTRICT OF LIBERTY COUNTY,
11 TEXAS, NO. 1

12 SUBCHAPTER A. GENERAL PROVISIONS

13 Sec. 6614.001. DEFINITION. In this chapter, "district"
14 means the Old River Drainage District of Liberty County, Texas, No.
15 1. (New.)

16 Sec. 6614.002. NATURE OF DISTRICT. The district is a
17 conservation and reclamation district under Section 59, Article
18 XVI, Texas Constitution. (Acts 41st Leg., 4th C.S., Ch. 4, S.L.,
19 Sec. 2 (part).)

20 Sec. 6614.003. FINDINGS OF BENEFIT. The conversion of the
21 district into a conservation and reclamation district under Section
22 59, Article XVI, Texas Constitution, and the provision to the
23 district of the powers conferred by that section will benefit the
24 residents of and property in the district. (Acts 41st Leg., 4th
25 C.S., Ch. 4, S.L., Sec. 2 (part).)

26 Sec. 6614.004. GOVERNING LAW. The general laws applicable
27 to conservation and reclamation districts govern the district.

1 (Acts 41st Leg., 4th C.S., Ch. 4, S.L., Sec. 4.)

2 SUBCHAPTER B. POWERS

3 Sec. 6614.051. GENERAL POWERS. The district has the powers
4 conferred by Section 59, Article XVI, Texas Constitution, to a
5 conservation and reclamation district. (Acts 41st Leg., 4th C.S.,
6 Ch. 4, S.L., Sec. 2 (part).)

7 SECTION 1.02. Subtitle B, Title 6, Special District Local
8 Laws Code, is amended by adding Chapters 6910, 6912, 6914, and 6915
9 to read as follows:

10 CHAPTER 6910. HULL FRESH WATER SUPPLY DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 6910.001. DEFINITIONS

13 Sec. 6910.002. NATURE OF DISTRICT

14 Sec. 6910.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

15 Sec. 6910.004. DISTRICT TERRITORY

16 SUBCHAPTER B. BOARD OF SUPERVISORS

17 Sec. 6910.051. COMPOSITION OF BOARD

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 6910.101. GENERAL POWERS AND DUTIES

20 Sec. 6910.102. ACQUISITION OF IMPROVEMENTS

21 Sec. 6910.103. LIMIT ON EMINENT DOMAIN POWER

22 Sec. 6910.104. COST OF RELOCATING OR ALTERING PROPERTY

23 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

24 Sec. 6910.151. DISTRICT TAX ASSESSOR-COLLECTOR

25 CHAPTER 6910. HULL FRESH WATER SUPPLY DISTRICT

26 SUBCHAPTER A. GENERAL PROVISIONS

27 Sec. 6910.001. DEFINITIONS. In this chapter:

1 (1) "Board" means the board of supervisors of the
2 district.

3 (2) "District" means the Hull Fresh Water Supply
4 District.

5 (3) "Supervisor" means a member of the board. (Acts
6 57th Leg., R.S., Ch. 533, Sec. 1 (part); New.)

7 Sec. 6910.002. NATURE OF DISTRICT. The district is:

8 (1) a conservation and reclamation district in Liberty
9 County under Section 59, Article XVI, Texas Constitution;

10 (2) a fresh water supply district; and

11 (3) a municipal corporation. (Acts 57th Leg., R.S.,
12 Ch. 533, Secs. 1 (part), 5 (part), 6 (part).)

13 Sec. 6910.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

14 (a) The district is created to serve a public use and benefit.

15 (b) All land and other property included in the district
16 will benefit from the creation of the district and the improvements
17 that the district will purchase, construct, or otherwise acquire.

18 (c) The district is essential to accomplish the purposes of
19 Section 59, Article XVI, Texas Constitution. (Acts 57th Leg.,
20 R.S., Ch. 533, Secs. 5 (part), 6 (part).)

21 Sec. 6910.004. DISTRICT TERRITORY. The district is
22 composed of the territory described by Section 1, Chapter 533, Acts
23 of the 57th Legislature, Regular Session, 1961, as that territory
24 may have been modified under:

25 (1) Subchapter G, Chapter 53, Water Code, before
26 September 1, 1995;

27 (2) Subchapter J, Chapter 49, Water Code; or

1 (3) other law. (New.)

2 SUBCHAPTER B. BOARD OF SUPERVISORS

3 Sec. 6910.051. COMPOSITION OF BOARD. The board consists of
4 five elected supervisors. (Acts 57th Leg., R.S., Ch. 533, Sec. 3
5 (part).)

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 6910.101. GENERAL POWERS AND DUTIES. The district has
8 all the rights, powers, privileges, and duties provided by general
9 law applicable to a fresh water supply district created under
10 Section 59, Article XVI, Texas Constitution, including Chapters 49
11 and 53, Water Code. (Acts 57th Leg., R.S., Ch. 533, Sec. 2 (part).)

12 Sec. 6910.102. ACQUISITION OF IMPROVEMENTS. The district
13 may make, construct, or otherwise acquire improvements inside or
14 outside the district that are necessary to carry out a power granted
15 to the district under this chapter or a general law described by
16 Section 6910.101. (Acts 57th Leg., R.S., Ch. 533, Sec. 2 (part).)

17 Sec. 6910.103. LIMIT ON EMINENT DOMAIN POWER. The district
18 may not exercise the power of eminent domain outside the district.
19 (Acts 57th Leg., R.S., Ch. 533, Sec. 2 (part).)

20 Sec. 6910.104. COST OF RELOCATING OR ALTERING PROPERTY.
21 (a) In this section, "sole expense" means the actual cost of
22 relocating, raising, lowering, rerouting, changing the grade of, or
23 altering the construction of a facility described by Subsection (b)
24 in providing comparable replacement without enhancement of the
25 facility, after deducting from that cost the net salvage value of
26 the old facility.

27 (b) If the district's exercise of the power of eminent

1 domain, the power of relocation, or any other power granted under
2 this chapter makes necessary relocating, raising, rerouting,
3 changing the grade of, or altering the construction of a highway,
4 railroad, electric transmission line, telephone or telegraph
5 property or facility, or pipeline, the necessary action shall be
6 accomplished at the sole expense of the district. (Acts 57th Leg.,
7 R.S., Ch. 533, Sec. 2 (part).)

8 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

9 Sec. 6910.151. DISTRICT TAX ASSESSOR-COLLECTOR. (a) The
10 board shall appoint a tax assessor-collector for the district for a
11 term not to exceed the term of office of the supervisors making the
12 appointment.

13 (b) The district's tax assessor-collector is not required
14 to be a resident or voter of the district. (Acts 57th Leg., R.S.,
15 Ch. 533, Sec. 4 (part).)

16 CHAPTER 6912. MEMORIAL VILLAGES WATER AUTHORITY

17 SUBCHAPTER A. GENERAL PROVISIONS

- 18 Sec. 6912.001. DEFINITIONS
- 19 Sec. 6912.002. NATURE OF AUTHORITY
- 20 Sec. 6912.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 21 Sec. 6912.004. AUTHORITY TERRITORY
- 22 Sec. 6912.005. CORRECTION OF INVALID PROCEDURES
- 23 Sec. 6912.006. LIBERAL CONSTRUCTION OF CHAPTER

24 SUBCHAPTER B. BOARD OF SUPERVISORS

- 25 Sec. 6912.051. COMPOSITION OF BOARD
- 26 Sec. 6912.052. QUALIFICATIONS FOR OFFICE

1 Sec. 6912.053. ELIGIBILITY FOR CANDIDACY FOR BOARD
2 POSITIONS
3 Sec. 6912.054. SUPERVISORS' ELECTION
4 Sec. 6912.055. BALLOT PROCEDURE FOR CANDIDATES
5 Sec. 6912.056. SUPERVISOR'S BOND
6 Sec. 6912.057. VACANCIES

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 6912.101. GENERAL POWERS
9 Sec. 6912.102. CONTRACTS TO SUPPLY WATER OR SEWAGE
10 SERVICES

11 Sec. 6912.103. COST OF RELOCATING OR ALTERING PROPERTY

12 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

13 Sec. 6912.151. TAX METHOD
14 Sec. 6912.152. IMPOSITION OF TAXES; TAX
15 ASSESSOR-COLLECTOR
16 Sec. 6912.153. DEPOSITORY
17 Sec. 6912.154. PAYMENT OF TAX OR ASSESSMENT NOT
18 REQUIRED

19 SUBCHAPTER E. BONDS

20 Sec. 6912.201. BONDS EXEMPT FROM TAXATION

21 CHAPTER 6912. MEMORIAL VILLAGES WATER AUTHORITY

22 SUBCHAPTER A. GENERAL PROVISIONS

23 Sec. 6912.001. DEFINITIONS. In this chapter:

- 24 (1) "Authority" means the Memorial Villages Water
25 Authority.
26 (2) "Board" means the board of supervisors of the
27 authority.

1 (3) "Supervisor" means a member of the board. (Acts
2 57th Leg., 3rd C.S., Ch. 20, Sec. 1 (part); New.)

3 Sec. 6912.002. NATURE OF AUTHORITY. The authority is a
4 conservation and reclamation district created under Section 59,
5 Article XVI, Texas Constitution, and a political subdivision of
6 this state. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 1 (part).)

7 Sec. 6912.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
8 The authority is created to serve a public use and benefit.

9 (b) All land included in the boundaries of the authority
10 will benefit from the authority.

11 (c) The authority is essential to the accomplishment of the
12 preservation and conservation of the natural resources of this
13 state.

14 (d) This chapter addresses a subject in which the state and
15 general public are interested.

16 (e) Because the accomplishment of the purposes stated in
17 this chapter is for the benefit of the people of this state and for
18 the improvement of their property and industries, the authority in
19 carrying out the purposes of this chapter will be performing an
20 essential public function under the Texas Constitution. (Acts 57th
21 Leg., 3rd C.S., Ch. 20, Secs. 2 (part), 9 (part), 11 (part).)

22 Sec. 6912.004. AUTHORITY TERRITORY. The authority is
23 composed of the territory described by Section 1, Chapter 20, Acts
24 of the 57th Legislature, 3rd Called Session, 1962, as that
25 territory may have been modified under:

26 (1) Subchapter G, Chapter 53, Water Code, before
27 September 1, 1995;

1 (2) Subchapter J, Chapter 49, Water Code; or

2 (3) other law. (New.)

3 Sec. 6912.005. CORRECTION OF INVALID PROCEDURES. If a
4 court holds that any procedure under this chapter violates the
5 constitution of this state or of the United States, the authority by
6 resolution may provide an alternative procedure that conforms with
7 the constitution. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 12
8 (part).)

9 Sec. 6912.006. LIBERAL CONSTRUCTION OF CHAPTER. This
10 chapter shall be liberally construed to effect its purposes. (Acts
11 57th Leg., 3rd C.S., Ch. 20, Sec. 11 (part).)

12 SUBCHAPTER B. BOARD OF SUPERVISORS

13 Sec. 6912.051. COMPOSITION OF BOARD. The board consists of
14 seven elected supervisors. (Acts 57th Leg., 3rd C.S., Ch. 20, Secs.
15 3(a) (part), (b) (part).)

16 Sec. 6912.052. QUALIFICATIONS FOR OFFICE. A supervisor
17 must:

18 (1) be at least 18 years of age; and

19 (2) reside in and own land in the authority. (Acts
20 57th Leg., 3rd C.S., Ch. 20, Sec. 3(a) (part).)

21 Sec. 6912.053. ELIGIBILITY FOR CANDIDACY FOR BOARD
22 POSITIONS. (a) To be eligible as a candidate for Position 1 or
23 Position 2, a person must at the time be a resident of the City of
24 Hedwig Village, Texas.

25 (b) To be eligible as a candidate for Position 3 or Position
26 4, a person must at the time be a resident of the City of Hunters
27 Creek Village, Texas.

1 (c) To be eligible as a candidate for Position 5 or Position
2 6, a person must at the time be a resident of the City of Piney Point
3 Village, Texas.

4 (d) Position 7 is an at-large position. (Acts 57th Leg.,
5 3rd C.S., Ch. 20, Sec. 3(c) (part).)

6 Sec. 6912.054. SUPERVISORS' ELECTION. (a) Notice of a
7 supervisors' election must be published once in a newspaper of
8 general circulation in Harris County at least 30 days before the
9 date of the election.

10 (b) The election order must state the time, place, and
11 purpose of the election. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec.
12 3(e) (part).)

13 Sec. 6912.055. BALLOT PROCEDURE FOR CANDIDATES. (a) A
14 person who wants the person's name printed on the ballot as a
15 candidate for supervisor must submit a petition to the board's
16 secretary requesting that action.

17 (b) The petition must be signed by at least 10 residents of
18 the authority who are qualified to vote at the election. (Acts 57th
19 Leg., 3rd C.S., Ch. 20, Sec. 3(f) (part).)

20 Sec. 6912.056. SUPERVISOR'S BOND. Each supervisor shall
21 give a bond in the amount of \$5,000 for the faithful performance of
22 the supervisor's duties. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec.
23 3(a) (part).)

24 Sec. 6912.057. VACANCIES. A vacancy on the board shall be
25 filled by appointment by the remaining supervisors until the next
26 election of supervisors for the authority. If the position is not
27 scheduled to be filled at the election, the person elected to fill

1 the position shall serve only for the remainder of the unexpired
2 term. (Acts 57th Leg., 3rd C.S., Ch. 20, Secs. 3(b) (part), (d)
3 (part).)

4 SUBCHAPTER C. POWERS AND DUTIES

5 Sec. 6912.101. GENERAL POWERS. The authority has all the
6 rights, powers, and privileges provided by general law applicable
7 to a fresh water supply district created under Section 59, Article
8 XVI, Texas Constitution, including Chapters 49 and 53, Water Code,
9 and by all other laws that are helpful in carrying out the purposes
10 for which the authority is created. (Acts 57th Leg., 3rd C.S., Ch.
11 20, Sec. 4 (part).)

12 Sec. 6912.102. CONTRACTS TO SUPPLY WATER OR SEWAGE
13 SERVICES. (a) The authority may contract with a municipality or
14 other entity to supply to the entity water or sewage services. A
15 municipality or other entity may contract with the authority to
16 supply to the authority water or sewage services.

17 (b) The authority may contract with a municipality for the
18 rental or leasing of or for the operation of the municipality's
19 water production, water supply, water filtration, or purification
20 and water supply facilities or sewerage system or facilities. A
21 municipality may contract with the authority for the rental or
22 leasing of or for the operation of the authority's water
23 production, water supply, water filtration, or purification and
24 water supply facilities or sewerage system or facilities.

25 (c) A contract may be:

26 (1) on the terms and for the consideration agreed to by
27 the parties; and

1 (2) for any period not to exceed 50 years.

2 (d) An election is not required by a municipality for
3 approval of a water, sewer, or water and sewer contract. A contract
4 may be entered into without the necessity of an election. (Acts
5 57th Leg., 3rd C.S., Ch. 20, Sec. 10.)

6 Sec. 6912.103. COST OF RELOCATING OR ALTERING PROPERTY.

7 (a) In this section, "sole expense" means the actual cost of
8 relocating, raising, lowering, rerouting, changing the grade of, or
9 altering the construction of a facility described by Subsection (b)
10 in providing comparable replacement without enhancement of the
11 facility, after deducting from that cost the net salvage value of
12 the old facility.

13 (b) If the authority's exercise of the power of eminent
14 domain, the power of relocation, or any other power makes necessary
15 relocating, raising, rerouting, changing the grade of, or altering
16 the construction of a highway, railroad, electric transmission
17 line, telephone or telegraph property or facility, or pipeline, the
18 necessary action shall be accomplished at the sole expense of the
19 authority. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 5.)

20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

21 Sec. 6912.151. TAX METHOD. (a) The authority shall use the
22 ad valorem plan of taxation.

23 (b) The board is not required to hold a hearing on the
24 adoption of a plan of taxation. (Acts 57th Leg., 3rd C.S., Ch. 20,
25 Sec. 2 (part).)

26 Sec. 6912.152. IMPOSITION OF TAXES; TAX
27 ASSESSOR-COLLECTOR. (a) Except as provided by this section, all

1 provisions of the general laws governing fresh water supply
2 districts that relate to the imposition of ad valorem taxes apply to
3 the authority.

4 (b) The board shall appoint a tax assessor-collector for the
5 authority.

6 (c) The tax assessor-collector:

7 (1) shall serve at the pleasure of the board; and

8 (2) is not required to be a resident or voter of the
9 authority. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 6 (part).)

10 Sec. 6912.153. DEPOSITORY. (a) The board shall designate
11 one or more banks inside or outside the authority to serve as a
12 depository for authority money.

13 (b) All authority money shall be deposited in a depository
14 bank, except that sufficient money shall be remitted to the
15 appropriate bank of payment to pay the principal of and interest on
16 the authority's outstanding bonds on or before the maturity date of
17 the principal and interest.

18 (c) To the extent that money in a depository bank is not
19 insured by the Federal Deposit Insurance Corporation, the money
20 must be secured in the manner provided by law for the security of
21 county funds.

22 (d) Membership on the board of an officer or director of a
23 bank does not disqualify the bank from being designated as a
24 depository. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 8.)

25 Sec. 6912.154. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.
26 The authority is not required to pay a tax or assessment on an
27 authority project or any part of the project. (Acts 57th Leg., 3rd

1 C.S., Ch. 20, Sec. 9 (part).)

2 SUBCHAPTER E. BONDS

3 Sec. 6912.201. BONDS EXEMPT FROM TAXATION. An authority
4 bond, the transfer of the bond, and income from the bond, including
5 profits made on the sale of the bond, are exempt from taxation in
6 this state. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 9 (part).)

7 CHAPTER 6914. PETTUS MUNICIPAL UTILITY DISTRICT

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 6914.001. DEFINITIONS

10 Sec. 6914.002. NATURE OF DISTRICT

11 Sec. 6914.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

12 Sec. 6914.004. DISTRICT TERRITORY

13 SUBCHAPTER B. BOARD OF SUPERVISORS

14 Sec. 6914.051. COMPOSITION OF BOARD

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 6914.101. GENERAL POWERS AND DUTIES

17 Sec. 6914.102. ACQUISITION OF IMPROVEMENTS

18 Sec. 6914.103. COST OF RELOCATING OR ALTERING PROPERTY

19 Sec. 6914.104. ADDITION OF TERRITORY TO DISTRICT

20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

21 Sec. 6914.151. DISTRICT TAX ASSESSOR-COLLECTOR

22 CHAPTER 6914. PETTUS MUNICIPAL UTILITY DISTRICT

23 SUBCHAPTER A. GENERAL PROVISIONS

24 Sec. 6914.001. DEFINITIONS. In this chapter:

25 (1) "Board" means the board of supervisors of the
26 district.

27 (2) "District" means the Pettus Municipal Utility

1 District.

2 (3) "Supervisor" means a member of the board. (Acts
3 57th Leg., 3rd C.S., Ch. 38, Sec. 1 (part); New.)

4 Sec. 6914.002. NATURE OF DISTRICT. The district is:

5 (1) a conservation and reclamation district in Bee
6 County under Section 59, Article XVI, Texas Constitution;

7 (2) a fresh water supply district; and

8 (3) a municipal corporation. (Acts 57th Leg., 3rd
9 C.S., Ch. 38, Secs. 1 (part), 5 (part), 7 (part).)

10 Sec. 6914.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
11 The district is created to serve a public use and benefit.

12 (b) All land and other property included in the district
13 will benefit from the creation of the district and the improvements
14 that the district will purchase, construct, or otherwise acquire.

15 (c) The district is essential to accomplish the purposes of
16 Section 59, Article XVI, Texas Constitution. (Acts 57th Leg., 3rd
17 C.S., Ch. 38, Secs. 5 (part), 7 (part).)

18 Sec. 6914.004. DISTRICT TERRITORY. The district is
19 composed of the territory described by Section 1, Chapter 38, Acts
20 of the 57th Legislature, 3rd Called Session, 1962, as that
21 territory may have been modified under:

22 (1) Subchapter G, Chapter 53, Water Code, before
23 September 1, 1995;

24 (2) Subchapter J, Chapter 49, Water Code; or

25 (3) other law. (New.)

26 SUBCHAPTER B. BOARD OF SUPERVISORS

27 Sec. 6914.051. COMPOSITION OF BOARD. The board consists of

1 five elected supervisors. (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 3
2 (part).)

3 SUBCHAPTER C. POWERS AND DUTIES

4 Sec. 6914.101. GENERAL POWERS AND DUTIES. The district has
5 all the rights, powers, privileges, and duties provided by general
6 law applicable to a fresh water supply district created under
7 Section 59, Article XVI, Texas Constitution, including Chapters 49
8 and 53, Water Code. (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 2
9 (part).)

10 Sec. 6914.102. ACQUISITION OF IMPROVEMENTS. (a) The
11 district may make, construct, or otherwise acquire improvements
12 inside or outside the district but wholly in Bee County, that are
13 necessary to carry out a power granted to the district under this
14 chapter or a general law described by Section 6914.101.

15 (b) Before awarding a contract for the construction of an
16 improvement, the district must submit a plan and specifications for
17 the improvement to the Texas Commission on Environmental Quality
18 for approval. Any substantial change made to the plan after
19 submission must also be submitted to the commission for approval.
20 (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 2 (part).)

21 Sec. 6914.103. COST OF RELOCATING OR ALTERING PROPERTY.
22 (a) In this section, "sole expense" means the actual cost of
23 relocating, raising, lowering, rerouting, changing the grade of, or
24 altering the construction of a facility described by Subsection (b)
25 in providing comparable replacement without enhancement of the
26 facility, after deducting from that cost the net salvage value of
27 the old facility.

1 (b) If the district's exercise of the power of eminent
2 domain, the power of relocation, or any other power granted under
3 this chapter makes necessary relocating, raising, rerouting,
4 changing the grade of, or altering the construction of a highway,
5 railroad, electric transmission line, telephone or telegraph
6 property or facility, or pipeline, the necessary action shall be
7 accomplished at the sole expense of the district. (Acts 57th Leg.,
8 3rd C.S., Ch. 38, Sec. 2 (part).)

9 Sec. 6914.104. ADDITION OF TERRITORY TO DISTRICT. (a) The
10 district may be composed of noncontiguous territory.

11 (b) In addition to adding land as provided by Subchapter J,
12 Chapter 49, Water Code, the district may add land as provided by
13 this section. Land added to the district need not be contiguous to
14 the district.

15 (c) The owner of land may request by petition that the board
16 include the land in the district.

17 (d) A petition under Subsection (c) must be filed with the
18 board and describe the land to be added to the district. The
19 description may be by metes and bounds or by lot and block number.
20 The petition must be signed and executed in the manner provided by
21 law for the conveyance of real estate.

22 (e) The board shall hear and consider a petition filed under
23 this section. The board may grant the petition and add the land to
24 the district if the board considers the addition to be to the
25 advantage of the district.

26 (f) A petition granted under this section shall be filed and
27 recorded in the office of the Bee County Clerk. (Acts 57th Leg.,

1 3rd C.S., Ch. 38, Sec. 6.)

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 6914.151. DISTRICT TAX ASSESSOR-COLLECTOR. (a) The
4 board shall appoint a tax assessor-collector for the district for a
5 term not to exceed the term of office of the supervisors making the
6 appointment.

7 (b) The district's tax assessor-collector is not required
8 to be a resident or voter of the district. (Acts 57th Leg., 3rd
9 C.S., Ch. 38, Sec. 4 (part).)

10 CHAPTER 6915. PORT MANSFIELD PUBLIC UTILITY DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 6915.001. DEFINITIONS

13 Sec. 6915.002. NATURE OF DISTRICT

14 Sec. 6915.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

15 Sec. 6915.004. DISTRICT TERRITORY

16 SUBCHAPTER B. DISTRICT ADMINISTRATION

17 Sec. 6915.051. COMPOSITION OF BOARD

18 Sec. 6915.052. TERMS

19 Sec. 6915.053. QUALIFICATIONS FOR OFFICE

20 Sec. 6915.054. EMPLOYEES

21 SUBCHAPTER C. POWERS AND DUTIES

22 Sec. 6915.101. GENERAL POWERS AND DUTIES

23 Sec. 6915.102. ACQUISITION OF IMPROVEMENTS

24 Sec. 6915.103. LIMIT ON EMINENT DOMAIN POWER

25 Sec. 6915.104. COST OF RELOCATING OR ALTERING PROPERTY

26 Sec. 6915.105. DURATION OF CONTRACT FOR WATER PURCHASE

27 OR SALE

1 Sec. 6915.106. ADDITION OF TERRITORY TO DISTRICT

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 6915.151. AUTHORIZATION OF CERTAIN DISTRICT

4 OBLIGATIONS

5 Sec. 6915.152. DISTRICT TAX ASSESSOR-COLLECTOR

6 CHAPTER 6915. PORT MANSFIELD PUBLIC UTILITY DISTRICT

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 6915.001. DEFINITIONS. In this chapter:

9 (1) "Board" means the board of supervisors of the
10 district.

11 (2) "District" means the Port Mansfield Public Utility
12 District.

13 (3) "Supervisor" means a member of the board. (Acts
14 58th Leg., R.S., Ch. 4, Sec. 1 (part); New.)

15 Sec. 6915.002. NATURE OF DISTRICT. The district is:

16 (1) a conservation and reclamation district in Willacy
17 County under Section 59, Article XVI, Texas Constitution;

18 (2) a fresh water supply district; and

19 (3) a municipal corporation. (Acts 58th Leg., R.S.,
20 Ch. 4, Secs. 1 (part), 7 (part), 8 (part).)

21 Sec. 6915.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
22 The district is created to serve a public use and benefit.

23 (b) All land and other property included in the district
24 will benefit from the creation of the district and the improvements
25 that the district will purchase, construct, or otherwise acquire.

26 (c) The district is essential to accomplish the purposes of
27 Section 59, Article XVI, Texas Constitution. (Acts 58th Leg.,

1 R.S., Ch. 4, Secs. 7 (part), 8 (part).)

2 Sec. 6915.004. DISTRICT TERRITORY. The district is
3 composed of the territory described by Section 1, Chapter 4, Acts of
4 the 58th Legislature, Regular Session, 1963, as that territory may
5 have been modified under:

6 (1) Subchapter G, Chapter 53, Water Code, before
7 September 1, 1995;

8 (2) Subchapter J, Chapter 49, Water Code; or

9 (3) other law. (New.)

10 SUBCHAPTER B. DISTRICT ADMINISTRATION

11 Sec. 6915.051. COMPOSITION OF BOARD. (a) The board
12 consists of five supervisors, appointed by the board of navigation
13 and canal commissioners of the Willacy County Navigation District,
14 and the port director of the Willacy County Navigation District.

15 (b) The port director of the Willacy County Navigation
16 District:

17 (1) serves as an ex officio member of the board;

18 (2) does not have voting rights at board meetings; and

19 (3) is not counted for purposes of establishing a
20 quorum. (Acts 58th Leg., R.S., Ch. 4, Sec. 3 (part).)

21 Sec. 6915.052. TERMS. Supervisors serve staggered two-year
22 terms, with the terms of three supervisors expiring on January 15 of
23 each odd-numbered year and the terms of two supervisors expiring on
24 January 15 of each even-numbered year. (Acts 58th Leg., R.S., Ch.
25 4, Sec. 3 (part).)

26 Sec. 6915.053. QUALIFICATIONS FOR OFFICE. A supervisor
27 must be a resident of Willacy County. A supervisor is not required

1 to reside in or own land in the district. (Acts 58th Leg., R.S., Ch.
2 4, Sec. 3 (part).)

3 Sec. 6915.054. EMPLOYEES. The board shall employ all
4 necessary employees for the proper handling and operation of the
5 district, and may employ a general manager, attorney, bookkeeper,
6 and engineer and assistants and laborers as may be required, on the
7 terms and for the compensation set by the board. (Acts 58th Leg.,
8 R.S., Ch. 4, Sec. 6.)

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 6915.101. GENERAL POWERS AND DUTIES. The district has
11 all the rights, powers, privileges, and duties provided by general
12 law applicable to a fresh water supply district created under
13 Section 59, Article XVI, Texas Constitution, including Chapters 49
14 and 53, Water Code. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

15 Sec. 6915.102. ACQUISITION OF IMPROVEMENTS. The district
16 may make, construct, or otherwise acquire improvements inside or
17 outside the district that are necessary to carry out a power granted
18 to the district under this chapter or a general law described by
19 Section 6915.101. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

20 Sec. 6915.103. LIMIT ON EMINENT DOMAIN POWER.
21 Notwithstanding any other provision of this chapter, the district
22 may not exercise the power of eminent domain outside Willacy
23 County. (Acts 58th Leg., R.S., Ch. 4, Sec. 2A.)

24 Sec. 6915.104. COST OF RELOCATING OR ALTERING PROPERTY.
25 (a) In this section, "sole expense" means the actual cost of
26 relocating, raising, lowering, rerouting, changing the grade of, or
27 altering the construction of a facility described by Subsection (b)

1 in providing comparable replacement without enhancement of the
2 facility, after deducting from that cost the net salvage value of
3 the old facility.

4 (b) If the district's exercise of the power of eminent
5 domain, the power of relocation, or any other power granted under
6 this chapter makes necessary relocating, raising, rerouting,
7 changing the grade of, or altering the construction of a highway,
8 railroad, electric transmission line, telephone or telegraph
9 property or facility, or pipeline, the necessary action shall be
10 accomplished at the sole expense of the district. (Acts 58th Leg.,
11 R.S., Ch. 4, Sec. 2 (part).)

12 Sec. 6915.105. DURATION OF CONTRACT FOR WATER PURCHASE OR
13 SALE. A district contract for the purchase or sale of water may not
14 exceed 40 years. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

15 Sec. 6915.106. ADDITION OF TERRITORY TO DISTRICT. (a) In
16 addition to the procedures provided by Subchapter J, Chapter 49,
17 Water Code, the district may add land that is contiguous to the
18 district as provided by this section.

19 (b) The owner or owners of land may request by petition that
20 the board include the land in the district.

21 (c) A petition under Subsection (b) must be filed with the
22 board and describe the land to be added to the district. The
23 description may be by metes and bounds or by lot and block number.
24 The petition must be signed and executed in the manner provided by
25 law for the conveyance of real estate.

26 (d) The board shall hear and consider a petition filed under
27 this section. The board may grant the petition and add the land to

1 the district if the board considers the addition to be to the
2 advantage of the district.

3 (e) A petition granted under this section shall be filed and
4 recorded in the deed records of Willacy County. (Acts 58th Leg.,
5 R.S., Ch. 4, Sec. 5.)

6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

7 Sec. 6915.151. AUTHORIZATION OF CERTAIN DISTRICT
8 OBLIGATIONS. It is not necessary to have an election to authorize a
9 district obligation that is payable from any source other than ad
10 valorem taxation. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

11 Sec. 6915.152. DISTRICT TAX ASSESSOR-COLLECTOR. The tax
12 assessor-collector for Willacy County is, ex officio, the tax
13 assessor-collector for the district. (Acts 58th Leg., R.S., Ch. 4,
14 Sec. 4 (part).)

15 SECTION 1.03. Subtitle C, Title 6, Special District Local
16 Laws Code, is amended by adding Chapter 7216 to read as follows:

17 CHAPTER 7216. JOHNSON COUNTY SPECIAL UTILITY DISTRICT

18 SUBCHAPTER A. GENERAL PROVISIONS

- 19 Sec. 7216.001. DEFINITIONS
- 20 Sec. 7216.002. NATURE OF DISTRICT
- 21 Sec. 7216.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 22 Sec. 7216.004. DISTRICT TERRITORY

23 SUBCHAPTER B. BOARD OF DIRECTORS

- 24 Sec. 7216.051. COMPOSITION OF BOARD

25 SUBCHAPTER C. POWERS AND DUTIES

- 26 Sec. 7216.101. SPECIAL UTILITY DISTRICT POWERS
- 27 Sec. 7216.102. LIMITATION OF CERTAIN POWERS

1 Sec. 7216.103. DISTRICT RULES

2 Sec. 7216.104. CONFLICT WITH MUNICIPAL REGULATION

3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4 Sec. 7216.151. TAX-EXEMPT BOND FINANCING; SALES TAX

5 EXEMPTION

6 CHAPTER 7216. JOHNSON COUNTY SPECIAL UTILITY DISTRICT

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 7216.001. DEFINITIONS. In this chapter:

9 (1) "Board" means the board of directors of the
10 district.

11 (2) "Director" means a member of the board.

12 (3) "District" means the Johnson County Special
13 Utility District. (Acts 78th Leg., R.S., Ch. 780, Secs. 1(a)
14 (part), 2; New.)

15 Sec. 7216.002. NATURE OF DISTRICT. The district is a
16 conservation and reclamation district in Johnson, Hill, Ellis, and
17 Tarrant Counties created under Section 59, Article XVI, Texas
18 Constitution. (Acts 78th Leg., R.S., Ch. 780, Secs. 1(a) (part),
19 (b) (part).)

20 Sec. 7216.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
21 The district is created to serve a public use and benefit.

22 (b) All land and other property included in the district
23 will benefit from the works and projects accomplished by the
24 district under the powers conferred by Section 59, Article XVI,
25 Texas Constitution.

26 (c) The district is essential to accomplish the purposes of
27 Section 59, Article XVI, Texas Constitution. (Acts 78th Leg.,

1 R.S., Ch. 780, Secs. 1(b) (part), 5.)

2 Sec. 7216.004. DISTRICT TERRITORY. (a) The district is
3 composed of the territory described by Section 3, Chapter 780, Acts
4 of the 78th Legislature, Regular Session, 2003, as that territory
5 may have been modified under:

- 6 (1) Subchapter J, Chapter 49, Water Code;
- 7 (2) Subchapter H, Chapter 65, Water Code; or
- 8 (3) other law.

9 (b) The boundaries and field notes of the district form a
10 closure. A mistake in the field notes or in copying the field notes
11 in the legislative process does not affect:

- 12 (1) the district's organization, existence, or
13 validity;
- 14 (2) the district's right to issue bonds or refunding
15 bonds or to pay the principal of and interest on the bonds; or
- 16 (3) the legality or operation of the district or the
17 board. (Acts 78th Leg., R.S., Ch. 780, Sec. 4; New.)

18 SUBCHAPTER B. BOARD OF DIRECTORS

19 Sec. 7216.051. COMPOSITION OF BOARD. The district is
20 governed by a board of not fewer than 5 or more than 11 elected
21 directors. (Acts 78th Leg., R.S., Ch. 780, Secs. 8(a) (part), (c)
22 (part).)

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 7216.101. SPECIAL UTILITY DISTRICT POWERS. Except as
25 specifically limited by Section 7216.102, the district has all of
26 the rights, powers, privileges, authority, functions, and duties
27 provided by general law applicable to a special utility district

1 created under Section 59, Article XVI, Texas Constitution,
2 including those provided by Chapters 49 and 65, Water Code. (Acts
3 78th Leg., R.S., Ch. 780, Sec. 6(a) (part).)

4 Sec. 7216.102. LIMITATION OF CERTAIN POWERS. (a) Before
5 June 20, 2009, the district:

6 (1) shall limit the exercise of its powers related to
7 the provision of public water utility service to territory that is
8 located within the boundaries of the district or as authorized by
9 Certificate of Convenience and Necessity No. 10081; and

10 (2) may not provide wastewater service, solid waste
11 service, firefighting service, or stormwater, flood control, and
12 drainage services and may not convert to or otherwise become a
13 municipal utility district, absent the express written consent of
14 any municipality with extraterritorial jurisdiction that overlaps
15 the district's boundaries.

16 (b) On or after June 20, 2009, to exercise a power
17 restricted by this section, the district must file an application
18 with the Texas Commission on Environmental Quality, if allowed by
19 the law in existence at that time, to exercise that additional
20 power. In addition to filing an application seeking expansion of
21 the district's powers, the district must apply for a sewer
22 certificate of convenience and necessity for the district to
23 provide retail wastewater service. The district shall provide
24 notice and a copy of an application for expansion of powers to each
25 municipality whose jurisdiction, including extraterritorial
26 jurisdiction, overlaps the district's boundaries, in addition to
27 complying with any other applicable notice requirements.

1 (c) If a municipality that is entitled to the notice
2 required by Subsection (b) files a request for a contested case
3 hearing within 60 days after receipt of the notice, the Texas
4 Commission on Environmental Quality shall directly refer the
5 application to the State Office of Administrative Hearings for a
6 contested case hearing. (Acts 78th Leg., R.S., Ch. 780, Secs. 6(a)
7 (part), (c).)

8 Sec. 7216.103. DISTRICT RULES. The district may adopt and
9 enforce reasonable rules. (Acts 78th Leg., R.S., Ch. 780, Sec. 11.)

10 Sec. 7216.104. CONFLICT WITH MUNICIPAL REGULATION. (a) If
11 a municipality asserts regulatory authority, including water
12 quality standards, over a geographic area located within the
13 district's jurisdiction, the municipality's regulation controls
14 over the district's regulation if there is a regulatory conflict.

15 (b) This section does not apply to:

16 (1) potable water quality standards; or

17 (2) a dispute relating to retail water utility service
18 areas. (Acts 78th Leg., R.S., Ch. 780, Sec. 7.)

19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20 Sec. 7216.151. TAX-EXEMPT BOND FINANCING; SALES TAX
21 EXEMPTION. This chapter may not be construed to impair the
22 district's ability or right to obtain tax-exempt bond financing or
23 a state sales tax exemption. (Acts 78th Leg., R.S., Ch. 780, Sec.
24 6(b) (part).)

25 SECTION 1.04. Subtitle F, Title 6, Special District Local
26 Laws Code, is amended by adding Chapters 8228, 8371, 8372, 8386,
27 8392, 8408, 8409, 8411, 8412, 8415, 8440, 8481, 8482, 8485, and 8486

1 to read as follows:

2 CHAPTER 8228. WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 1, OF
3 MONTGOMERY COUNTY, TEXAS

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 8228.001. DEFINITIONS

6 Sec. 8228.002. NATURE OF DISTRICT

7 Sec. 8228.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

8 Sec. 8228.004. DISTRICT TERRITORY

9 SUBCHAPTER B. BOARD OF DIRECTORS

10 Sec. 8228.051. COMPOSITION OF BOARD; TERMS

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 8228.101. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES

14 CHAPTER 8228. WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 1, OF
15 MONTGOMERY COUNTY, TEXAS

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 8228.001. DEFINITIONS. In this chapter:

18 (1) "Board" means the district's board of directors.

19 (2) "Director" means a member of the board.

20 (3) "District" means the Wood Trace Municipal Utility
21 District No. 1, of Montgomery County, Texas. (Acts 72nd Leg.,
22 R.S., Ch. 218, Sec. 2; New.)

23 Sec. 8228.002. NATURE OF DISTRICT. The district is a
24 conservation and reclamation district in Montgomery County created
25 under Section 59, Article XVI, Texas Constitution. (Acts 72nd
26 Leg., R.S., Ch. 218, Secs. 1(a) (part), (b) (part).)

27 Sec. 8228.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

1 The district is created to serve a public use and benefit.

2 (b) All land and other property included in the district
3 will benefit from the works and projects accomplished by the
4 district under the powers conferred by Section 59, Article XVI,
5 Texas Constitution.

6 (c) The creation of the district is essential to accomplish
7 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
8 72nd Leg., R.S., Ch. 218, Secs. 1(b) (part), 5.)

9 Sec. 8228.004. DISTRICT TERRITORY. (a) The district is
10 composed of the territory described by Section 3, Chapter 218, Acts
11 of the 72nd Legislature, Regular Session, 1991, as that territory
12 may have been modified under:

- 13 (1) Subchapter H, Chapter 54, Water Code;
- 14 (2) Subchapter J, Chapter 49, Water Code; or
- 15 (3) other law.

16 (b) The boundaries and field notes of the district form a
17 closure. A mistake in the field notes or in copying the field notes
18 in the legislative process does not affect:

- 19 (1) the district's organization, existence, or
20 validity;
- 21 (2) the district's right to impose a tax; or
- 22 (3) the legality or operation of the district or its
23 governing body. (Acts 72nd Leg., R.S., Ch. 218, Sec. 4; New.)

24 SUBCHAPTER B. BOARD OF DIRECTORS

25 Sec. 8228.051. COMPOSITION OF BOARD; TERMS. (a) The
26 district is governed by a board of five directors.

27 (b) Directors serve staggered four-year terms. (Acts 72nd

1 Leg., R.S., Ch. 218, Secs. 7(a), (d).)

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 8228.101. MUNICIPAL UTILITY DISTRICT POWERS AND
4 DUTIES. The district has the rights, powers, privileges,
5 functions, and duties provided by general law, including Chapters
6 49, 50, and 54, Water Code, applicable to a municipal utility
7 district created under Section 59, Article XVI, Texas Constitution.
8 (Acts 72nd Leg., R.S., Ch. 218, Sec. 6(a) (part); New.)

9 CHAPTER 8371. SAGEMEADOW UTILITY DISTRICT

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 8371.001. DEFINITIONS

12 Sec. 8371.002. NATURE OF DISTRICT

13 Sec. 8371.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

14 Sec. 8371.004. DISTRICT TERRITORY

15 SUBCHAPTER B. BOARD OF DIRECTORS

16 Sec. 8371.051. COMPOSITION OF BOARD

17 Sec. 8371.052. BOARD VACANCY

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 8371.101. MUNICIPAL UTILITY DISTRICT POWERS

20 CHAPTER 8371. SAGEMEADOW UTILITY DISTRICT

21 SUBCHAPTER A. GENERAL PROVISIONS

22 Sec. 8371.001. DEFINITIONS. In this chapter:

23 (1) "Board" means the district's board of directors.

24 (2) "Director" means a member of the board.

25 (3) "District" means the Sagemeadow Utility District.

26 (Acts 62nd Leg., R.S., Ch. 679, Sec. 1 (part); New.)

27 Sec. 8371.002. NATURE OF DISTRICT. The district is a

1 conservation and reclamation district in Harris County created
2 under Section 59, Article XVI, Texas Constitution. (Acts 62nd
3 Leg., R.S., Ch. 679, Sec. 1 (part).)

4 Sec. 8371.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
5 The district is created to serve a public use and benefit.

6 (b) All land and other property included in the boundaries
7 of the district will benefit from the works and projects
8 accomplished by the district under the powers conferred by Section
9 59, Article XVI, Texas Constitution.

10 (c) The creation of the district is essential to accomplish
11 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
12 62nd Leg., R.S., Ch. 679, Secs. 1 (part), 3.)

13 Sec. 8371.004. DISTRICT TERRITORY. (a) The district is
14 composed of the territory described by Section 4, Chapter 679, Acts
15 of the 62nd Legislature, Regular Session, 1971, as that territory
16 may have been modified under:

- 17 (1) Subchapter H, Chapter 54, Water Code;
18 (2) Subchapter J, Chapter 49, Water Code; or
19 (3) other law.

20 (b) The boundaries and field notes of the district form a
21 closure. A mistake in copying the field notes in the legislative
22 process or another mistake in the field notes does not affect:

23 (1) the district's organization, existence, or
24 validity;

25 (2) the district's right to issue any type of bond for
26 the purpose for which the district is created or to pay the
27 principal of and interest on the bond;

1 (3) the district's right to impose a tax; or

2 (4) the legality or operation of the district or its
3 governing body. (Acts 62nd Leg., R.S., Ch. 679, Sec. 2; New.)

4 SUBCHAPTER B. BOARD OF DIRECTORS

5 Sec. 8371.051. COMPOSITION OF BOARD. The board is composed
6 of five elected directors. (Acts 62nd Leg., R.S., Ch. 679, Sec. 6
7 (part).)

8 Sec. 8371.052. BOARD VACANCY. (a) Except as provided by
9 Subsection (b), a vacancy in the office of director shall be filled
10 in the manner provided by Section 49.105, Water Code.

11 (b) The Texas Commission on Environmental Quality shall
12 appoint directors to fill all of the vacancies on the board whenever
13 the number of qualified directors is fewer than three. (Acts 62nd
14 Leg., R.S., Ch. 679, Sec. 6 (part); New.)

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 8371.101. MUNICIPAL UTILITY DISTRICT POWERS. The
17 district has the rights, powers, privileges, and functions
18 conferred by general law applicable to a municipal utility
19 district, including Chapters 49 and 54, Water Code. (Acts 62nd
20 Leg., R.S., Ch. 679, Sec. 5 (part); New.)

21 CHAPTER 8372. SHASLA PUBLIC UTILITY DISTRICT

22 SUBCHAPTER A. GENERAL PROVISIONS

23 Sec. 8372.001. DEFINITIONS

24 Sec. 8372.002. NATURE OF DISTRICT

25 Sec. 8372.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

26 Sec. 8372.004. DISTRICT TERRITORY

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 8372.051. COMPOSITION OF BOARD

3 Sec. 8372.052. BOARD VACANCY

4 SUBCHAPTER C. POWERS AND DUTIES

5 Sec. 8372.101. MUNICIPAL UTILITY DISTRICT POWERS

6 CHAPTER 8372. SHASLA PUBLIC UTILITY DISTRICT

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 8372.001. DEFINITIONS. In this chapter:

9 (1) "Board" means the district's board of directors.

10 (2) "Director" means a member of the board.

11 (3) "District" means the Shasla Public Utility
12 District. (Acts 62nd Leg., R.S., Ch. 412, Sec. 1 (part); New.)

13 Sec. 8372.002. NATURE OF DISTRICT. The district is a
14 conservation and reclamation district in Harris County created
15 under Section 59, Article XVI, Texas Constitution. (Acts 62nd
16 Leg., R.S., Ch. 412, Sec. 1 (part).)

17 Sec. 8372.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
18 The district is created to serve a public use and benefit.

19 (b) All land and other property included in the boundaries
20 of the district will benefit from the works and projects
21 accomplished by the district under the powers conferred by Section
22 59, Article XVI, Texas Constitution.

23 (c) The creation of the district is essential to accomplish
24 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
25 62nd Leg., R.S., Ch. 412, Secs. 1 (part), 3.)

26 Sec. 8372.004. DISTRICT TERRITORY. (a) The district is
27 composed of the territory described by Section 4, Chapter 412, Acts

1 of the 62nd Legislature, Regular Session, 1971, as that territory
2 may have been modified under:

- 3 (1) Subchapter H, Chapter 54, Water Code;
- 4 (2) Subchapter J, Chapter 49, Water Code; or
- 5 (3) other law.

6 (b) The boundaries and field notes of the district form a
7 closure. A mistake in copying the field notes in the legislative
8 process or another mistake in the field notes does not affect:

- 9 (1) the district's organization, existence, or
10 validity;
- 11 (2) the district's right to issue any type of bond for
12 a purpose for which the district is created or to pay the principal
13 of and interest on the bond;
- 14 (3) the district's right to impose a tax; or
- 15 (4) the legality or operation of the district or its
16 governing body. (Acts 62nd Leg., R.S., Ch. 412, Sec. 2; New.)

17 SUBCHAPTER B. BOARD OF DIRECTORS

18 Sec. 8372.051. COMPOSITION OF BOARD. The board is composed
19 of five elected directors. (Acts 62nd Leg., R.S., Ch. 412, Sec. 6
20 (part).)

21 Sec. 8372.052. BOARD VACANCY. (a) Except as provided by
22 Subsection (b), a vacancy in the office of director shall be filled
23 in the manner provided by Section 49.105, Water Code.

24 (b) The Texas Commission on Environmental Quality shall
25 appoint directors to fill all of the vacancies on the board whenever
26 the number of qualified directors is fewer than three. (Acts 62nd
27 Leg., R.S., Ch. 412, Sec. 6 (part); New.)

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 8372.101. MUNICIPAL UTILITY DISTRICT POWERS. The
3 district has the rights, powers, privileges, and functions
4 conferred by general law applicable to a municipal utility
5 district, including Chapters 49 and 54, Water Code. (Acts 62nd
6 Leg., R.S., Ch. 412, Sec. 5 (part); New.)

7 CHAPTER 8386. SPANISH COVE PUBLIC UTILITY DISTRICT

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 8386.001. DEFINITIONS

10 Sec. 8386.002. NATURE OF DISTRICT

11 Sec. 8386.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

12 Sec. 8386.004. DISTRICT TERRITORY

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 8386.051. COMPOSITION OF BOARD

15 Sec. 8386.052. BOARD VACANCY

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 8386.101. MUNICIPAL UTILITY DISTRICT POWERS

18 CHAPTER 8386. SPANISH COVE PUBLIC UTILITY DISTRICT

19 SUBCHAPTER A. GENERAL PROVISIONS

20 Sec. 8386.001. DEFINITIONS. In this chapter:

21 (1) "Board" means the district's board of directors.

22 (2) "Director" means a member of the board.

23 (3) "District" means the Spanish Cove Public Utility
24 District. (Acts 62nd Leg., R.S., Ch. 409, Sec. 1 (part); New.)

25 Sec. 8386.002. NATURE OF DISTRICT. The district is a
26 conservation and reclamation district in Harris County created
27 under Section 59, Article XVI, Texas Constitution. (Acts 62nd

1 Leg., R.S., Ch. 409, Sec. 1 (part).)

2 Sec. 8386.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

3 The district is created to serve a public use and benefit.

4 (b) All land and other property included in the boundaries
5 of the district will benefit from the works and projects
6 accomplished by the district under the powers conferred by Section
7 59, Article XVI, Texas Constitution.

8 (c) The creation of the district is essential to accomplish
9 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
10 62nd Leg., R.S., Ch. 409, Secs. 1 (part), 3.)

11 Sec. 8386.004. DISTRICT TERRITORY. (a) The district is
12 composed of the territory described by Section 4, Chapter 409, Acts
13 of the 62nd Legislature, Regular Session, 1971, as that territory
14 may have been modified under:

15 (1) Subchapter H, Chapter 54, Water Code;

16 (2) Subchapter J, Chapter 49, Water Code; or

17 (3) other law.

18 (b) The boundaries and field notes of the district form a
19 closure. A mistake in copying the field notes in the legislative
20 process or another mistake in the field notes does not affect:

21 (1) the district's organization, existence, or
22 validity;

23 (2) the district's right to issue any type of bond for
24 a purpose for which the district is created or to pay the principal
25 of and interest on the bond;

26 (3) the district's right to impose a tax; or

27 (4) the legality or operation of the district or its

1 governing body. (Acts 62nd Leg., R.S., Ch. 409, Sec. 2; New.)

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 8386.051. COMPOSITION OF BOARD. The board is composed
4 of five elected directors. (Acts 62nd Leg., R.S., Ch. 409, Sec. 6
5 (part).)

6 Sec. 8386.052. BOARD VACANCY. (a) Except as provided by
7 Subsection (b), a vacancy in the office of director shall be filled
8 in the manner provided by Section 49.105, Water Code.

9 (b) The Texas Commission on Environmental Quality shall
10 appoint directors to fill all of the vacancies on the board whenever
11 the number of qualified directors is fewer than three. (Acts 62nd
12 Leg., R.S., Ch. 409, Sec. 6 (part); New.)

13 SUBCHAPTER C. POWERS AND DUTIES

14 Sec. 8386.101. MUNICIPAL UTILITY DISTRICT POWERS. The
15 district has the rights, powers, privileges, and functions
16 conferred by general law applicable to a municipal utility
17 district, including Chapters 49 and 54, Water Code. (Acts 62nd
18 Leg., R.S., Ch. 409, Sec. 5 (part); New.)

19 CHAPTER 8392. SPENCER ROAD PUBLIC UTILITY DISTRICT

20 SUBCHAPTER A. GENERAL PROVISIONS

21 Sec. 8392.001. DEFINITIONS

22 Sec. 8392.002. NATURE OF DISTRICT

23 Sec. 8392.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

24 Sec. 8392.004. DISTRICT TERRITORY

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 8392.051. COMPOSITION OF BOARD

27 Sec. 8392.052. BOARD VACANCY

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 8392.101. MUNICIPAL UTILITY DISTRICT POWERS

3 CHAPTER 8392. SPENCER ROAD PUBLIC UTILITY DISTRICT

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 8392.001. DEFINITIONS. In this chapter:

6 (1) "Board" means the district's board of directors.

7 (2) "Director" means a member of the board.

8 (3) "District" means the Spencer Road Public Utility
9 District. (Acts 62nd Leg., R.S., Ch. 699, Sec. 1 (part); New.)

10 Sec. 8392.002. NATURE OF DISTRICT. The district is a
11 conservation and reclamation district in Harris County created
12 under Section 59, Article XVI, Texas Constitution. (Acts 62nd
13 Leg., R.S., Ch. 699, Sec. 1 (part).)

14 Sec. 8392.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
15 The district is created to serve a public use and benefit.

16 (b) All land and other property included in the boundaries
17 of the district will benefit from the works and projects
18 accomplished by the district under the powers conferred by Section
19 59, Article XVI, Texas Constitution.

20 (c) The creation of the district is essential to accomplish
21 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
22 62nd Leg., R.S., Ch. 699, Secs. 1 (part), 3.)

23 Sec. 8392.004. DISTRICT TERRITORY. (a) The district is
24 composed of the territory described by Section 4, Chapter 699, Acts
25 of the 62nd Legislature, Regular Session, 1971, as that territory
26 may have been modified under:

27 (1) Subchapter H, Chapter 54, Water Code;

1 (2) Subchapter J, Chapter 49, Water Code; or

2 (3) other law.

3 (b) The boundaries and field notes of the district form a
4 closure. A mistake in copying the field notes in the legislative
5 process or another mistake in the field notes does not affect:

6 (1) the district's organization, existence, or
7 validity;

8 (2) the district's right to issue any type of bond for
9 a purpose for which the district is created or to pay the principal
10 of and interest on the bond;

11 (3) the district's right to impose a tax; or

12 (4) the legality or operation of the district or its
13 governing body. (Acts 62nd Leg., R.S., Ch. 699, Sec. 2; New.)

14 SUBCHAPTER B. BOARD OF DIRECTORS

15 Sec. 8392.051. COMPOSITION OF BOARD. The board is composed
16 of five elected directors. (Acts 62nd Leg., R.S., Ch. 699, Sec. 6
17 (part).)

18 Sec. 8392.052. BOARD VACANCY. (a) Except as provided by
19 Subsection (b), a vacancy in the office of director shall be filled
20 in the manner provided by Section 49.105, Water Code.

21 (b) The Texas Commission on Environmental Quality shall
22 appoint directors to fill all of the vacancies on the board whenever
23 the number of qualified directors is fewer than three. (Acts 62nd
24 Leg., R.S., Ch. 699, Sec. 6 (part); New.)

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 8392.101. MUNICIPAL UTILITY DISTRICT POWERS. The
27 district has the rights, powers, privileges, and functions

1 conferred by general law applicable to a municipal utility
2 district, including Chapters 49 and 54, Water Code. (Acts 62nd
3 Leg., R.S., Ch. 699, Sec. 5 (part); New.)

4 CHAPTER 8408. THUNDERBIRD UTILITY DISTRICT

5 SUBCHAPTER A. GENERAL PROVISIONS

6 Sec. 8408.001. DEFINITIONS

7 Sec. 8408.002. NATURE OF DISTRICT

8 Sec. 8408.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

9 Sec. 8408.004. DISTRICT TERRITORY

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 8408.051. COMPOSITION OF BOARD

12 Sec. 8408.052. BOARD VACANCY

13 SUBCHAPTER C. POWERS AND DUTIES

14 Sec. 8408.101. MUNICIPAL UTILITY DISTRICT POWERS

15 CHAPTER 8408. THUNDERBIRD UTILITY DISTRICT

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 8408.001. DEFINITIONS. In this chapter:

18 (1) "Board" means the district's board of directors.

19 (2) "Director" means a member of the board.

20 (3) "District" means the Thunderbird Utility
21 District. (Acts 62nd Leg., R.S., Ch. 456, Sec. 1 (part); New.)

22 Sec. 8408.002. NATURE OF DISTRICT. The district is a
23 conservation and reclamation district in Fort Bend County created
24 under Section 59, Article XVI, Texas Constitution. (Acts 62nd
25 Leg., R.S., Ch. 456, Sec. 1 (part).)

26 Sec. 8408.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

27 (a) The district is created to serve a public use and benefit.

1 (b) All land and other property included in the boundaries
2 of the district will benefit from the works and projects
3 accomplished by the district under the powers conferred by Section
4 59, Article XVI, Texas Constitution.

5 (c) The creation of the district is essential to accomplish
6 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
7 62nd Leg., R.S., Ch. 456, Secs. 1 (part), 3.)

8 Sec. 8408.004. DISTRICT TERRITORY. (a) The district is
9 composed of the territory described by Section 4, Chapter 456, Acts
10 of the 62nd Legislature, Regular Session, 1971, as that territory
11 may have been modified under:

- 12 (1) Subchapter H, Chapter 54, Water Code;
- 13 (2) Subchapter J, Chapter 49, Water Code; or
- 14 (3) other law.

15 (b) The boundaries and field notes of the district form a
16 closure. A mistake in copying the field notes in the legislative
17 process or another mistake in the field notes does not affect:

- 18 (1) the district's organization, existence, or
19 validity;
- 20 (2) the district's right to issue any type of bond for
21 the purpose for which the district is created or to pay the
22 principal of and interest on the bond;
- 23 (3) the district's right to impose a tax; or
- 24 (4) the legality or operation of the district or its
25 governing body. (Acts 62nd Leg., R.S., Ch. 456, Sec. 2; New.)

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 8408.051. COMPOSITION OF BOARD. The board is composed

1 of five elected directors. (Acts 62nd Leg., R.S., Ch. 456, Sec. 6
2 (part).)

3 Sec. 8408.052. BOARD VACANCY. (a) Except as provided by
4 Subsection (b), a vacancy in the office of director shall be filled
5 in the manner provided by Section 49.105, Water Code.

6 (b) The Texas Commission on Environmental Quality shall
7 appoint directors to fill all of the vacancies on the board whenever
8 the number of qualified directors is fewer than three. (Acts 62nd
9 Leg., R.S., Ch. 456, Sec. 6 (part); New.)

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8408.101. MUNICIPAL UTILITY DISTRICT POWERS. The
12 district has the rights, powers, privileges, and functions
13 conferred by general law applicable to a municipal utility
14 district, including Chapters 49 and 54, Water Code. (Acts 62nd
15 Leg., R.S., Ch. 456, Sec. 5 (part); New.)

16 CHAPTER 8409. PORT O'CONNOR IMPROVEMENT DISTRICT

17 SUBCHAPTER A. GENERAL PROVISIONS

18 Sec. 8409.001. DEFINITIONS

19 Sec. 8409.002. NATURE OF DISTRICT

20 Sec. 8409.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

21 Sec. 8409.004. DISTRICT TERRITORY

22 SUBCHAPTER B. BOARD OF DIRECTORS

23 Sec. 8409.051. COMPOSITION OF BOARD; TERMS

24 Sec. 8409.052. BOARD VACANCY

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 8409.101. MUNICIPAL UTILITY DISTRICT POWERS

1 SUBCHAPTER D. SALES AND USE TAX

2 Sec. 8409.151. APPLICABILITY OF CERTAIN TAX CODE

3 PROVISIONS

4 Sec. 8409.152. ELECTION; ADOPTION OF TAX

5 Sec. 8409.153. SALES AND USE TAX RATE

6 Sec. 8409.154. USE OF REVENUE

7 Sec. 8409.155. ABOLITION OR DECREASE OF TAX

8 CHAPTER 8409. PORT O'CONNOR IMPROVEMENT DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8409.001. DEFINITIONS. In this chapter:

11 (1) "Board" means the district's board of directors.

12 (2) "Director" means a member of the board.

13 (3) "District" means the Port O'Connor Improvement
14 District. (Acts 65th Leg., R.S., Ch. 693, Secs. 1 (part), 1A; New.)

15 Sec. 8409.002. NATURE OF DISTRICT. The district is a
16 conservation and reclamation district in Calhoun County created
17 under Section 59, Article XVI, Texas Constitution. (Acts 65th
18 Leg., R.S., Ch. 693, Sec. 1 (part).)

19 Sec. 8409.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

20 (a) The district is created to serve a public use and benefit.

21 (b) All land and other property included in the boundaries
22 of the district will benefit from the works and projects
23 accomplished by the district under the powers conferred by Section
24 59, Article XVI, Texas Constitution.

25 (c) The creation of the district is essential to accomplish
26 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
27 65th Leg., R.S., Ch. 693, Secs. 1 (part), 4.)

1 Sec. 8409.004. DISTRICT TERRITORY. (a) The district is
2 composed of the territory described by Section 2, Chapter 693, Acts
3 of the 65th Legislature, Regular Session, 1977, as that territory
4 may have been modified under:

- 5 (1) Subchapter H, Chapter 54, Water Code;
- 6 (2) Subchapter J, Chapter 49, Water Code; or
- 7 (3) other law.

8 (b) The boundaries and field notes of the district form a
9 closure. A mistake in copying the field notes in the legislative
10 process or another mistake in the field notes does not affect:

- 11 (1) the district's organization, existence, or
12 validity;
- 13 (2) the district's right to issue any type of bond for
14 a purpose for which the district is created or to pay the principal
15 of and interest on the bond;
- 16 (3) the district's right to impose a tax; or
- 17 (4) the legality or operation of the district or its
18 governing body. (Acts 65th Leg., R.S., Ch. 693, Sec. 3; New.)

19 SUBCHAPTER B. BOARD OF DIRECTORS

20 Sec. 8409.051. COMPOSITION OF BOARD; TERMS. (a) The board
21 is composed of five elected directors.

22 (b) Directors serve staggered terms. (Acts 65th Leg., R.S.,
23 Ch. 693, Sec. 7(b) (part).)

24 Sec. 8409.052. BOARD VACANCY. (a) Except as provided by
25 Subsection (b), a vacancy in the office of director shall be filled
26 in the manner provided by Section [49.105](#), Water Code.

27 (b) The Texas Commission on Environmental Quality shall

1 appoint directors to fill all of the vacancies on the board whenever
2 the number of qualified directors is fewer than three. (Acts 65th
3 Leg., R.S., Ch. 693, Sec. 7(b) (part); New.)

4 SUBCHAPTER C. POWERS AND DUTIES

5 Sec. 8409.101. MUNICIPAL UTILITY DISTRICT POWERS. The
6 district has the rights, powers, privileges, and functions
7 conferred and imposed by general law applicable to a municipal
8 utility district created under Section 59, Article XVI, Texas
9 Constitution, including Chapters 49 and 54, Water Code. (Acts 65th
10 Leg., R.S., Ch. 693, Sec. 5 (part); New.)

11 SUBCHAPTER D. SALES AND USE TAX

12 Sec. 8409.151. APPLICABILITY OF CERTAIN TAX CODE
13 PROVISIONS. (a) Chapter 321, Tax Code, governs the imposition,
14 computation, administration, enforcement, and collection of the
15 sales and use tax authorized by this subchapter, except to the
16 extent Chapter 321, Tax Code, is inconsistent with this subchapter.

17 (b) A reference in Chapter 321, Tax Code, to a municipality
18 or the governing body of a municipality is a reference to the
19 district or the board, respectively. (Acts 65th Leg., R.S., Ch.
20 693, Sec. 11.)

21 Sec. 8409.152. ELECTION; ADOPTION OF TAX. (a) The
22 district may adopt a sales and use tax if authorized by a majority
23 of the voters of the district voting at an election held for that
24 purpose.

25 (b) The board by order may call an election to authorize the
26 adoption of the sales and use tax. The election may be held on any
27 uniform election date and in conjunction with any other district

1 election.

2 (c) The district shall provide notice and hold the election
3 in the manner provided by Subchapter D, Chapter 49, Water Code.

4 (d) The ballot shall be printed to provide for voting for or
5 against the proposition: "Authorization of a sales and use tax in
6 the Port O'Connor Improvement District at a rate not to exceed ____
7 percent" (insert rate of one or more increments of one-eighth of one
8 percent). (Acts 65th Leg., R.S., Ch. 693, Sec. 12.)

9 Sec. 8409.153. SALES AND USE TAX RATE. (a) After the date
10 the results are declared of an election held under Section 8409.152
11 at which the voters authorized imposition of a tax, the board shall
12 provide by resolution or order the initial rate of the tax, which
13 must be in one or more increments of one-eighth of one percent.

14 (b) After the authorization of a tax under Section 8409.152,
15 the board may increase or decrease the rate of the tax by one or more
16 increments of one-eighth of one percent.

17 (c) The initial rate of the tax or any rate resulting from
18 subsequent increases or decreases may not exceed the lesser of:

19 (1) the maximum rate authorized at the election held
20 under Section 8409.152; or

21 (2) a rate that, when added to the rates of all sales
22 and use taxes imposed by other political subdivisions with
23 territory in the district, would result in the maximum combined
24 rate prescribed by Section 321.101(f), Tax Code, at any location in
25 the district.

26 (d) In determining whether the combined sales and use tax
27 rate under Subsection (c)(2) would exceed the maximum combined rate

1 prescribed by Section 321.101(f), Tax Code, at any location in the
2 district, the board shall include:

3 (1) any sales and use tax imposed by a political
4 subdivision whose territory overlaps all or part of the district;

5 (2) any sales and use tax to be imposed by Calhoun
6 County as a result of an election held on the same date as the
7 election held under Section 8409.152; and

8 (3) any increase to an existing sales and use tax
9 imposed by Calhoun County as a result of an election held on the
10 same date as the election held under Section 8409.152.

11 (e) The board shall notify the comptroller of any changes
12 made to the tax rate in the same manner the municipal secretary
13 provides notice to the comptroller under Section 321.405(b), Tax
14 Code. (Acts 65th Leg., R.S., Ch. 693, Sec. 13.)

15 Sec. 8409.154. USE OF REVENUE. Revenue from the sales and
16 use tax imposed under Section 8409.153 is for the use and benefit of
17 the district and may be used for any district purpose. The district
18 may pledge all or part of the revenue to the payment of bonds,
19 notes, or other obligations, and that pledge of revenue may be in
20 combination with other revenue, including tax revenue, available to
21 the district. (Acts 65th Leg., R.S., Ch. 693, Sec. 14.)

22 Sec. 8409.155. ABOLITION OR DECREASE OF TAX. (a) Except
23 as provided by Subsection (b), the board may abolish or decrease the
24 tax imposed under Section 8409.153 without an election.

25 (b) The board may not abolish or decrease the tax imposed
26 under Section 8409.153 if the district has outstanding debt secured
27 by the tax and repayment of the debt would be impaired by the

1 abolition or decrease of the tax.

2 (c) If the board abolishes or decreases the tax, the board
3 shall notify the comptroller of that action in the same manner the
4 municipal secretary provides notice to the comptroller under
5 Section 321.405(b), Tax Code.

6 (d) If the board abolishes the tax or decreases the tax rate
7 to zero, a new election to authorize a sales and use tax must be held
8 under Section 8409.152 before the district may subsequently impose
9 the tax. (Acts 65th Leg., R.S., Ch. 693, Sec. 15.)

10 CHAPTER 8411. SPRING MEADOWS MUNICIPAL UTILITY DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 8411.001. DEFINITIONS

13 Sec. 8411.002. NATURE OF DISTRICT

14 Sec. 8411.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

15 Sec. 8411.004. DISTRICT TERRITORY

16 SUBCHAPTER B. BOARD OF DIRECTORS

17 Sec. 8411.051. COMPOSITION OF BOARD; TERMS

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 8411.101. MUNICIPAL UTILITY DISTRICT POWERS AND

20 DUTIES

21 CHAPTER 8411. SPRING MEADOWS MUNICIPAL UTILITY DISTRICT

22 SUBCHAPTER A. GENERAL PROVISIONS

23 Sec. 8411.001. DEFINITIONS. In this chapter:

24 (1) "Board" means the district's board of directors.

25 (2) "Director" means a member of the board.

26 (3) "District" means the Spring Meadows Municipal
27 Utility District. (Acts 76th Leg., R.S., Ch. 35, Sec. 2; New.)

1 Sec. 8411.002. NATURE OF DISTRICT. The district is a
2 conservation and reclamation district in Harris County created
3 under Section 59, Article XVI, Texas Constitution. (Acts 76th
4 Leg., R.S., Ch. 35, Secs. 1(a) (part), (b) (part).)

5 Sec. 8411.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

6 (a) The district is created to serve a public use and benefit.

7 (b) All land and other property included in the boundaries
8 of the district will benefit from the works and projects
9 accomplished by the district under powers conferred by Section 59,
10 Article XVI, Texas Constitution.

11 (c) The creation of the district is essential to accomplish
12 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
13 76th Leg., R.S., Ch. 35, Secs. 1(b) (part), 5.)

14 Sec. 8411.004. DISTRICT TERRITORY. (a) The district is
15 composed of the territory described by Section 3, Chapter 35, Acts
16 of the 76th Legislature, Regular Session, 1999, as that territory
17 may have been modified under:

18 (1) Subchapter H, Chapter 54, Water Code;

19 (2) Subchapter J, Chapter 49, Water Code; or

20 (3) other law.

21 (b) The boundaries and field notes of the district form a
22 closure. A mistake in the field notes or in copying the field notes
23 in the legislative process does not affect:

24 (1) the district's organization, existence, or
25 validity;

26 (2) the district's right to impose a tax; or

27 (3) the legality or operation of the district or its

1 governing body. (Acts 76th Leg., R.S., Ch. 35, Sec. 4; New.)

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 8411.051. COMPOSITION OF BOARD; TERMS. (a) The
4 district is governed by a board of five directors.

5 (b) Directors serve staggered four-year terms. (Acts 76th
6 Leg., R.S., Ch. 35, Secs. 7(a), (d).)

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 8411.101. MUNICIPAL UTILITY DISTRICT POWERS AND
9 DUTIES. The district has the rights, powers, privileges,
10 functions, and duties provided by the general law of this state,
11 including Chapters 49 and 54, Water Code, applicable to a municipal
12 utility district created under Section 59, Article XVI, Texas
13 Constitution. (Acts 76th Leg., R.S., Ch. 35, Sec. 6(a) (part).)

14 CHAPTER 8412. VARNER CREEK UTILITY DISTRICT

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 8412.001. DEFINITIONS

17 Sec. 8412.002. NATURE OF DISTRICT

18 Sec. 8412.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

19 Sec. 8412.004. DISTRICT TERRITORY

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 8412.051. COMPOSITION OF BOARD

22 Sec. 8412.052. BOARD VACANCY

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 8412.101. MUNICIPAL UTILITY DISTRICT POWERS

25 CHAPTER 8412. VARNER CREEK UTILITY DISTRICT

26 SUBCHAPTER A. GENERAL PROVISIONS

27 Sec. 8412.001. DEFINITIONS. In this chapter:

1 (1) "Board" means the district's board of directors.

2 (2) "Director" means a member of the board.

3 (3) "District" means the Varner Creek Utility
4 District. (Acts 62nd Leg., R.S., Ch. 352, Sec. 1 (part); New.)

5 Sec. 8412.002. NATURE OF DISTRICT. The district is a
6 conservation and reclamation district in Brazoria County created
7 under Section 59, Article XVI, Texas Constitution. (Acts 62nd
8 Leg., R.S., Ch. 352, Sec. 1 (part).)

9 Sec. 8412.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
10 The district is created to serve a public use and benefit.

11 (b) All land and other property included in the boundaries
12 of the district will benefit from the works and projects
13 accomplished by the district under the powers conferred by Section
14 59, Article XVI, Texas Constitution.

15 (c) The creation of the district is essential to accomplish
16 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
17 62nd Leg., R.S., Ch. 352, Secs. 1 (part), 3.)

18 Sec. 8412.004. DISTRICT TERRITORY. (a) The district is
19 composed of the territory described by Section 4, Chapter 352, Acts
20 of the 62nd Legislature, Regular Session, 1971, as that territory
21 may have been modified under:

22 (1) Subchapter H, Chapter 54, Water Code;

23 (2) Subchapter J, Chapter 49, Water Code; or

24 (3) other law.

25 (b) The boundaries and field notes of the district form a
26 closure. A mistake in copying the field notes in the legislative
27 process or another mistake in the field notes does not affect:

1 (1) the district's organization, existence, or
2 validity;

3 (2) the district's right to issue any type of bond for
4 a purpose for which the district is created or to pay the principal
5 of and interest on the bond;

6 (3) the district's right to impose a tax; or

7 (4) the legality or operation of the district or its
8 governing body. (Acts 62nd Leg., R.S., Ch. 352, Sec. 2; New.)

9 SUBCHAPTER B. BOARD OF DIRECTORS

10 Sec. 8412.051. COMPOSITION OF BOARD. The board is composed
11 of five elected directors. (Acts 62nd Leg., R.S., Ch. 352, Sec. 6
12 (part).)

13 Sec. 8412.052. BOARD VACANCY. (a) Except as provided by
14 Subsection (b), a vacancy in the office of director shall be filled
15 in the manner provided by Section 49.105, Water Code.

16 (b) The Texas Commission on Environmental Quality shall
17 appoint directors to fill all of the vacancies on the board whenever
18 the number of qualified directors is fewer than three. (Acts 62nd
19 Leg., R.S., Ch. 352, Sec. 6 (part); New.)

20 SUBCHAPTER C. POWERS AND DUTIES

21 Sec. 8412.101. MUNICIPAL UTILITY DISTRICT POWERS. The
22 district has the rights, powers, privileges, and functions
23 conferred by general law applicable to a municipal utility
24 district, including Chapters 49 and 54, Water Code. (Acts 62nd
25 Leg., R.S., Ch. 352, Sec. 5 (part); New.)

1 CHAPTER 8415. WEST CEDAR CREEK MUNICIPAL UTILITY DISTRICT

2 SUBCHAPTER A. GENERAL PROVISIONS

3 Sec. 8415.001. DEFINITIONS

4 Sec. 8415.002. NATURE OF DISTRICT

5 Sec. 8415.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

6 Sec. 8415.004. DISTRICT TERRITORY

7 SUBCHAPTER B. BOARD OF DIRECTORS

8 Sec. 8415.051. COMPOSITION OF BOARD; TERMS

9 Sec. 8415.052. BOARD VACANCY

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8415.101. MUNICIPAL UTILITY DISTRICT POWERS

12 Sec. 8415.102. WATER AND SEWER SYSTEMS

13 Sec. 8415.103. TAXES

14 CHAPTER 8415. WEST CEDAR CREEK MUNICIPAL UTILITY DISTRICT

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 8415.001. DEFINITIONS. In this chapter:

17 (1) "Board" means the district's board of directors.

18 (2) "Director" means a member of the board.

19 (3) "District" means the West Cedar Creek Municipal
20 Utility District. (Acts 64th Leg., R.S., Ch. 742, Sec. 1 (part);
21 New.)

22 Sec. 8415.002. NATURE OF DISTRICT. The district is a
23 conservation and reclamation district in Henderson County created
24 under Section 59, Article XVI, Texas Constitution. (Acts 64th
25 Leg., R.S., Ch. 742, Sec. 1 (part).)

26 Sec. 8415.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
27 The district is created to serve a public use and benefit.

1 (b) All land and other property included in the boundaries
2 of the district will benefit from the works and projects
3 accomplished by the district under the powers conferred by Section
4 59, Article XVI, Texas Constitution.

5 (c) The creation of the district is essential to accomplish
6 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
7 64th Leg., R.S., Ch. 742, Secs. 1 (part), 5.)

8 Sec. 8415.004. DISTRICT TERRITORY. (a) The district is
9 composed of the territory described by Section 2, Chapter 742, Acts
10 of the 64th Legislature, Regular Session, 1975, as that territory
11 may have been modified under:

- 12 (1) Subchapter H, Chapter 54, Water Code;
- 13 (2) Subchapter J, Chapter 49, Water Code; or
- 14 (3) other law.

15 (b) The boundaries and field notes of the district form a
16 closure. A mistake in the field notes or in copying the field notes
17 in the legislative process does not affect:

- 18 (1) the district's organization, existence, or
19 validity;
- 20 (2) the district's right to issue any type of bond for
21 a purpose for which the district is created or to pay the principal
22 of and interest on the bond;
- 23 (3) the district's right to impose a tax; or
- 24 (4) the legality or operation of the district or its
25 governing body. (Acts 64th Leg., R.S., Ch. 742, Sec. 3; New.)

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 8415.051. COMPOSITION OF BOARD; TERMS. (a) The board

1 is composed of seven elected directors.

2 (b) Directors serve staggered terms. (Acts 64th Leg., R.S.,
3 Ch. 742, Sec. 8(b) (part).)

4 Sec. 8415.052. BOARD VACANCY. (a) Except as provided by
5 Subsection (b), a vacancy in the office of director shall be filled
6 in the manner provided by Section 49.105, Water Code.

7 (b) The Texas Commission on Environmental Quality shall
8 appoint directors to fill all of the vacancies on the board whenever
9 the number of qualified directors is fewer than four. (Acts 64th
10 Leg., R.S., Ch. 742, Sec. 8(b) (part); New.)

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 8415.101. MUNICIPAL UTILITY DISTRICT POWERS. The
13 district has the rights, powers, privileges, and functions
14 conferred and imposed by general law applicable to a municipal
15 utility district created under Section 59, Article XVI, Texas
16 Constitution, including Chapters 49 and 54, Water Code. (Acts 64th
17 Leg., R.S., Ch. 742, Sec. 6 (part).)

18 Sec. 8415.102. WATER AND SEWER SYSTEMS. The district may
19 acquire, and may improve or extend, any existing water or sewer
20 system that serves all or part of the district territory or may
21 construct a water or sewer system to serve the inhabitants of the
22 county in which the district is situated. (Acts 64th Leg., R.S.,
23 Ch. 742, Sec. 7(a).)

24 Sec. 8415.103. TAXES. The district may not impose a tax
25 unless the tax has been approved by the voters at an election called
26 for that purpose. (Acts 64th Leg., R.S., Ch. 742, Sec. 7(b).)

1 CHAPTER 8440. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

2 SUBCHAPTER A. GENERAL PROVISIONS

3 Sec. 8440.001. DEFINITIONS

4 Sec. 8440.002. NATURE OF DISTRICT

5 Sec. 8440.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

6 Sec. 8440.004. DISTRICT TERRITORY

7 Sec. 8440.005. APPLICATION OF CONDITIONS TO CREATION

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 8440.051. COMPOSITION OF BOARD; TERMS

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8440.101. MUNICIPAL UTILITY DISTRICT POWERS AND

12 DUTIES

13 CHAPTER 8440. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

14 SUBCHAPTER A. GENERAL PROVISIONS

15 Sec. 8440.001. DEFINITIONS. In this chapter:

16 (1) "Board" means the district's board of directors.

17 (2) "Director" means a member of the board.

18 (3) "District" means West Travis County Municipal

19 Utility District No. 3. (Acts 71st Leg., R.S., Ch. 1212, Sec. 2;

20 New.)

21 Sec. 8440.002. NATURE OF DISTRICT. The district is a

22 conservation and reclamation district in Travis County created

23 under Section 59, Article XVI, Texas Constitution. (Acts 71st

24 Leg., R.S., Ch. 1212, Secs. 1(a) (part), (b) (part).)

25 Sec. 8440.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

26 (a) The district is created to serve a public use and benefit.

27 (b) All land and other property included in the district

1 will benefit from the works and projects accomplished by the
2 district under powers conferred by Section 59, Article XVI, Texas
3 Constitution.

4 (c) The creation of the district is essential to accomplish
5 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
6 71st Leg., R.S., Ch. 1212, Secs. 1(b) (part), 5.)

7 Sec. 8440.004. DISTRICT TERRITORY. (a) The district is
8 composed of the territory described by Section 3, Chapter 1212,
9 Acts of the 71st Legislature, Regular Session, 1989, as that
10 territory may have been modified under:

- 11 (1) Subchapter H, Chapter 54, Water Code;
- 12 (2) Subchapter J, Chapter 49, Water Code; or
- 13 (3) other law.

14 (b) The boundaries and field notes of the district form a
15 closure. A mistake in the field notes or in copying the field notes
16 in the legislative process does not affect:

- 17 (1) the district's organization, existence, or
- 18 validity;
- 19 (2) the district's right to impose a tax; or
- 20 (3) the legality or operation of the district or its
- 21 governing body. (Acts 71st Leg., R.S., Ch. 1212, Sec. 4; New.)

22 Sec. 8440.005. APPLICATION OF CONDITIONS TO CREATION. The
23 enactment of Chapter 1212, Acts of the 71st Legislature, Regular
24 Session, 1989, did not affect conditions to the consent of the
25 creation of the district imposed by any jurisdiction in which the
26 district is located. (Acts 71st Leg., R.S., Ch. 1212, Sec. 11.)

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 8440.051. COMPOSITION OF BOARD; TERMS. (a) The
3 district is governed by a board of five directors.

4 (b) Directors serve staggered four-year terms. (Acts 71st
5 Leg., R.S., Ch. 1212, Secs. 7(a), (d).)

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 8440.101. MUNICIPAL UTILITY DISTRICT POWERS AND
8 DUTIES. The district has the rights, powers, privileges,
9 functions, and duties provided by general law, including Chapters
10 49, 50, and 54, Water Code, applicable to a municipal utility
11 district created under Section 59, Article XVI, Texas Constitution.
12 (Acts 71st Leg., R.S., Ch. 1212, Sec. 6(a) (part); New.)

13 CHAPTER 8481. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

14 SUBCHAPTER A. GENERAL PROVISIONS

15 Sec. 8481.001. DEFINITIONS

16 Sec. 8481.002. NATURE OF DISTRICT

17 Sec. 8481.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

18 Sec. 8481.004. DISTRICT TERRITORY

19 Sec. 8481.005. APPLICATION OF CONDITIONS TO CREATION

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 8481.051. COMPOSITION OF BOARD; TERMS

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 8481.101. GENERAL POWERS AND DUTIES

24 CHAPTER 8481. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

25 SUBCHAPTER A. GENERAL PROVISIONS

26 Sec. 8481.001. DEFINITIONS. In this chapter:

27 (1) "Board" means the district's board of directors.

1 (2) "Director" means a member of the board.

2 (3) "District" means the West Travis County Municipal
3 Utility District No. 5. (Acts 71st Leg., R.S., Ch. 1214, Sec. 2;
4 New.)

5 Sec. 8481.002. NATURE OF DISTRICT. The district is a
6 conservation and reclamation district in Travis County created
7 under Section 59, Article XVI, Texas Constitution. (Acts 71st
8 Leg., R.S., Ch. 1214, Secs. 1(a) (part), (b) (part).)

9 Sec. 8481.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
10 The district is created to serve a public use and benefit.

11 (b) All land and other property included in the district
12 will benefit from the works and projects accomplished by the
13 district under the powers conferred by Section 59, Article XVI,
14 Texas Constitution.

15 (c) The creation of the district is essential to accomplish
16 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
17 71st Leg., R.S., Ch. 1214, Secs. 1(b) (part), 5.)

18 Sec. 8481.004. DISTRICT TERRITORY. (a) The district is
19 composed of the territory described by Section 3, Chapter 1214,
20 Acts of the 71st Legislature, Regular Session, 1989, as that
21 territory may have been modified under:

22 (1) Subchapter H, Chapter 54, Water Code;

23 (2) Subchapter J, Chapter 49, Water Code; or

24 (3) other law.

25 (b) The boundaries and field notes of the district form a
26 closure. A mistake in the field notes or in copying the field notes
27 in the legislative process does not affect:

1 (1) the district's organization, existence, or
2 validity;

3 (2) the district's right to impose a tax; or

4 (3) the legality or operation of the district or its
5 governing body. (Acts 71st Leg., R.S., Ch. 1214, Sec. 4; New.)

6 Sec. 8481.005. APPLICATION OF CONDITIONS TO CREATION. The
7 enactment of Chapter 1214, Acts of the 71st Legislature, Regular
8 Session, 1989, did not affect conditions to the consent of the
9 creation of the district imposed by any jurisdiction in which the
10 district is located. (Acts 71st Leg., R.S., Ch. 1214, Sec. 11.)

11 SUBCHAPTER B. BOARD OF DIRECTORS

12 Sec. 8481.051. COMPOSITION OF BOARD; TERMS. (a) The
13 district is governed by a board of five directors.

14 (b) Directors serve staggered four-year terms. (Acts 71st
15 Leg., R.S., Ch. 1214, Secs. 7(a), (d).)

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 8481.101. GENERAL POWERS AND DUTIES. (a) The
18 district has the rights, powers, privileges, functions, and duties:

19 (1) provided by general law applicable to a municipal
20 utility district created under Section 59, Article XVI, Texas
21 Constitution, including Chapters 49, 50, and 54, Water Code;

22 (2) relating to a road district or road utility
23 district created under Section 52, Article III, Texas Constitution;
24 and

25 (3) relating to a supply and distribution facility or
26 system in order to provide potable and nonpotable water to the
27 residents and businesses of Travis and Hays Counties.

1 (b) Notwithstanding Subsections (a)(2) and (3), the
2 district may not construct, acquire, maintain, or operate a toll
3 road. (Acts 71st Leg., R.S., Ch. 1214, Secs. 6(a) (part), (c),
4 (d).)

5 CHAPTER 8482. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12

6 SUBCHAPTER A. GENERAL PROVISIONS

7 Sec. 8482.001. DEFINITIONS

8 Sec. 8482.002. NATURE OF DISTRICT

9 Sec. 8482.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

10 Sec. 8482.004. DISTRICT TERRITORY

11 Sec. 8482.005. ADDITION OR EXCLUSION OF DISTRICT

12 TERRITORY; MUNICIPAL CONSENT NOT
13 REQUIRED

14 Sec. 8482.006. PROHIBITION AGAINST IMPAIRMENT OF
15 DISTRICT

16 SUBCHAPTER B. BOARD OF DIRECTORS

17 Sec. 8482.051. COMPOSITION OF BOARD; TERMS

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 8482.101. MUNICIPAL UTILITY DISTRICT POWERS AND
20 DUTIES

21 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

22 Sec. 8482.151. ANNEXATION BY MUNICIPALITY

23 Sec. 8482.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION

24 CHAPTER 8482. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12

25 SUBCHAPTER A. GENERAL PROVISIONS

26 Sec. 8482.001. DEFINITIONS. In this chapter:

27 (1) "Board" means the board of directors of the

1 district.

2 (2) "Director" means a member of the board.

3 (3) "District" means the Williamson County Municipal
4 Utility District No. 12. (Acts 78th Leg., R.S., Ch. 761, Secs.
5 1(1), (3); New.)

6 Sec. 8482.002. NATURE OF DISTRICT. (a) The district is a
7 municipal utility district in Williamson County created under
8 Section 59, Article XVI, Texas Constitution.

9 (b) The district is a political subdivision of this state.
10 (Acts 78th Leg., R.S., Ch. 761, Secs. 2(a) (part), (b), 3(b)
11 (part).)

12 Sec. 8482.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
13 The district is created to serve a public use and benefit.

14 (b) All land and other property included in the district
15 will benefit from the works and projects accomplished by the
16 district under powers conferred by Section 59, Article XVI, Texas
17 Constitution.

18 (c) The creation of the district is essential to accomplish
19 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
20 78th Leg., R.S., Ch. 761, Secs. 3(a), (b) (part), (c).)

21 Sec. 8482.004. DISTRICT TERRITORY. (a) The district is
22 composed of the territory described by Section 4, Chapter 761, Acts
23 of the 78th Legislature, Regular Session, 2003, as that territory
24 may have been modified under:

25 (1) Subchapter H, Chapter 54, Water Code;

26 (2) Subchapter J, Chapter 49, Water Code; or

27 (3) other law.

1 (b) The boundaries and field notes of the district form a
2 closure. A mistake in the field notes or in copying the field notes
3 in the legislative process does not affect:

4 (1) the district's organization, existence, or
5 validity;

6 (2) the district's right to impose a tax; or

7 (3) the legality or operation of the district or the
8 board. (Acts 78th Leg., R.S., Ch. 761, Sec. 5; New.)

9 Sec. 8482.005. ADDITION OR EXCLUSION OF DISTRICT TERRITORY;
10 MUNICIPAL CONSENT NOT REQUIRED. The district may add or exclude
11 land in the manner provided by Chapters 49 and 54, Water Code,
12 without the consent of any municipality. (Acts 78th Leg., R.S., Ch.
13 761, Sec. 13(b).)

14 Sec. 8482.006. PROHIBITION AGAINST IMPAIRMENT OF DISTRICT.
15 A municipality in whose extraterritorial jurisdiction the district
16 is located may not take any action, including adopting an ordinance
17 or resolution, that:

18 (1) impairs the district's ability to exercise the
19 district's powers under this chapter; or

20 (2) limits the district's ability to finance,
21 construct, or operate the district's water, wastewater, or drainage
22 systems. (Acts 78th Leg., R.S., Ch. 761, Sec. 12.)

23 SUBCHAPTER B. BOARD OF DIRECTORS

24 Sec. 8482.051. COMPOSITION OF BOARD; TERMS. (a) The
25 district is governed by a board of five directors.

26 (b) Directors serve staggered four-year terms. (Acts 78th
27 Leg., R.S., Ch. 761, Secs. 7(a), (d).)

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 8482.101. MUNICIPAL UTILITY DISTRICT POWERS AND
3 DUTIES. The district has the rights, powers, privileges,
4 functions, and duties provided by general law, including Chapters
5 49 and 54, Water Code, applicable to a municipal utility district
6 created under Section 59, Article XVI, Texas Constitution. (Acts
7 78th Leg., R.S., Ch. 761, Sec. 11; New.)

8 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

9 Sec. 8482.151. ANNEXATION BY MUNICIPALITY. A municipality
10 may annex the district on the earlier of:

11 (1) the date of installation of 90 percent of all
12 works, improvements, facilities, plants, equipment, and appliances
13 necessary and adequate to:

14 (A) provide service to the proposed development
15 in the district;

16 (B) accomplish the purposes for which the
17 district was created; and

18 (C) exercise the powers provided by general law
19 and this chapter; or

20 (2) the 20th anniversary of the date the district was
21 confirmed. (Acts 78th Leg., R.S., Ch. 761, Sec. 13(a).)

22 Sec. 8482.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION. If
23 a municipality in whose extraterritorial jurisdiction the district
24 is located annexes the district for full or limited purposes and the
25 annexation precludes or impairs the ability of the district to
26 issue bonds, the municipality shall:

27 (1) simultaneously with the annexation, pay in cash to

1 the landowner or developer of the district a sum equal to all actual
2 costs and expenses incurred by the landowner or developer in
3 connection with the district that:

4 (A) the district has agreed in writing to pay;
5 and

6 (B) would otherwise have been eligible for
7 reimbursement from bond proceeds under the rules and requirements
8 of the Texas Commission on Environmental Quality as those rules and
9 requirements exist on the date of annexation; and

10 (2) after the annexation, install all necessary water,
11 wastewater, and drainage facilities to serve full buildout of
12 development in the district. (Acts 78th Leg., R.S., Ch. 761, Secs.
13 1(2), 14.)

14 CHAPTER 8485. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 13

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 8485.001. DEFINITIONS

17 Sec. 8485.002. NATURE OF DISTRICT

18 Sec. 8485.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

19 Sec. 8485.004. DISTRICT TERRITORY

20 Sec. 8485.005. ADDITION OR EXCLUSION OF DISTRICT

21 TERRITORY; MUNICIPAL CONSENT NOT
22 REQUIRED

23 Sec. 8485.006. PROHIBITION AGAINST IMPAIRMENT OF
24 DISTRICT

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 8485.051. COMPOSITION OF BOARD; TERMS

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 8485.101. MUNICIPAL UTILITY DISTRICT POWERS AND
3 DUTIES

4 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

5 Sec. 8485.151. ANNEXATION BY MUNICIPALITY

6 Sec. 8485.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION

7 CHAPTER 8485. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 13

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 8485.001. DEFINITIONS. In this chapter:

10 (1) "Board" means the board of directors of the
11 district.

12 (2) "Director" means a member of the board.

13 (3) "District" means the Williamson County Municipal
14 Utility District No. 13. (Acts 78th Leg., R.S., Ch. 760, Secs. 1(1),
15 (3); New.)

16 Sec. 8485.002. NATURE OF DISTRICT. (a) The district is a
17 municipal utility district in Williamson County created under
18 Section 59, Article XVI, Texas Constitution.

19 (b) The district is a political subdivision of this state.
20 (Acts 78th Leg., R.S., Ch. 760, Secs. 2(a) (part), (b), 3(b)
21 (part).)

22 Sec. 8485.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
23 The district is created to serve a public use and benefit.

24 (b) All land and other property included in the district
25 will benefit from the works and projects accomplished by the
26 district under powers conferred by Section 59, Article XVI, Texas
27 Constitution.

1 (c) The creation of the district is essential to accomplish
2 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
3 78th Leg., R.S., Ch. 760, Secs. 3(a), (b) (part), (c).)

4 Sec. 8485.004. DISTRICT TERRITORY. (a) The district is
5 composed of the territory described by Section 4, Chapter 760, Acts
6 of the 78th Legislature, Regular Session, 2003, as that territory
7 may have been modified under:

8 (1) Subchapter H, Chapter 54, Water Code;

9 (2) Subchapter J, Chapter 49, Water Code; or

10 (3) other law.

11 (b) The boundaries and field notes of the district form a
12 closure. A mistake in the field notes or in copying the field notes
13 in the legislative process does not affect:

14 (1) the district's organization, existence, or
15 validity;

16 (2) the district's right to impose a tax; or

17 (3) the legality or operation of the district or the
18 board. (Acts 78th Leg., R.S., Ch. 760, Sec. 5; New.)

19 Sec. 8485.005. ADDITION OR EXCLUSION OF DISTRICT TERRITORY;
20 MUNICIPAL CONSENT NOT REQUIRED. The district may add or exclude
21 land in the manner provided by Chapters 49 and 54, Water Code,
22 without the consent of any municipality. (Acts 78th Leg., R.S., Ch.
23 760, Sec. 13(b).)

24 Sec. 8485.006. PROHIBITION AGAINST IMPAIRMENT OF DISTRICT.
25 A municipality in whose extraterritorial jurisdiction the district
26 is located may not take any action, including adopting an ordinance
27 or resolution, that:

1 (1) impairs the district's ability to exercise the
2 district's powers under this chapter; or

3 (2) limits the district's ability to finance,
4 construct, or operate the district's water, wastewater, or drainage
5 systems. (Acts 78th Leg., R.S., Ch. 760, Sec. 12.)

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 8485.051. COMPOSITION OF BOARD; TERMS. (a) The
8 district is governed by a board of five directors.

9 (b) Directors serve staggered four-year terms. (Acts 78th
10 Leg., R.S., Ch. 760, Secs. 7(a), (d).)

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 8485.101. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the rights, powers, privileges,
14 functions, and duties provided by general law, including Chapters
15 49 and 54, Water Code, applicable to a municipal utility district
16 created under Section 59, Article XVI, Texas Constitution. (Acts
17 78th Leg., R.S., Ch. 760, Sec. 11; New.)

18 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

19 Sec. 8485.151. ANNEXATION BY MUNICIPALITY. A municipality
20 may annex the district on the earlier of:

21 (1) the date of installation of 90 percent of all
22 works, improvements, facilities, plants, equipment, and appliances
23 necessary and adequate to:

24 (A) provide service to the proposed development
25 in the district;

26 (B) accomplish the purposes for which the
27 district was created; and

1 (C) exercise the powers provided by general law
2 and this chapter; or

3 (2) the 20th anniversary of the date the district was
4 confirmed. (Acts 78th Leg., R.S., Ch. 760, Sec. 13(a).)

5 Sec. 8485.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION. If
6 a municipality in whose extraterritorial jurisdiction the district
7 is located annexes the district for full or limited purposes and the
8 annexation precludes or impairs the ability of the district to
9 issue bonds, the municipality shall:

10 (1) simultaneously with the annexation, pay in cash to
11 the landowner or developer of the district a sum equal to all actual
12 costs and expenses incurred by the landowner or developer in
13 connection with the district that:

14 (A) the district has agreed in writing to pay;
15 and

16 (B) would otherwise have been eligible for
17 reimbursement from bond proceeds under the rules and requirements
18 of the Texas Commission on Environmental Quality as those rules and
19 requirements exist on the date of annexation; and

20 (2) after the annexation, install all necessary water,
21 wastewater, and drainage facilities to serve full buildout of
22 development in the district. (Acts 78th Leg., R.S., Ch. 760, Secs.
23 1(2), 14.)

24 CHAPTER 8486. WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND

25 DRAINAGE DISTRICT NO. 3

26 SUBCHAPTER A. GENERAL PROVISIONS

27 Sec. 8486.001. DEFINITIONS

1 Sec. 8486.002. NATURE OF DISTRICT

2 Sec. 8486.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

3 Sec. 8486.004. DISTRICT TERRITORY

4 SUBCHAPTER B. BOARD OF DIRECTORS

5 Sec. 8486.051. COMPOSITION OF BOARD

6 Sec. 8486.052. BOARD VACANCY

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 8486.101. MUNICIPAL UTILITY DISTRICT POWERS AND

9 DUTIES

10 CHAPTER 8486. WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND

11 DRAINAGE DISTRICT NO. 3

12 SUBCHAPTER A. GENERAL PROVISIONS

13 Sec. 8486.001. DEFINITIONS. In this chapter:

14 (1) "Board" means the district's board of directors.

15 (2) "Director" means a board member.

16 (3) "District" means the Williamson County Water,
17 Sewer, Irrigation, and Drainage District No. 3. (Acts 70th Leg.,
18 R.S., Ch. 650, Sec. 2; New.)

19 Sec. 8486.002. NATURE OF DISTRICT. The district is a
20 conservation and reclamation district in Williamson County,
21 created under Section 59, Article XVI, Texas Constitution. (Acts
22 70th Leg., R.S., Ch. 650, Sec. 1(a) (part).)

23 Sec. 8486.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
24 The district is created to serve a public use and benefit.

25 (b) All land and other property included in the boundaries
26 of the district will benefit from the works and projects
27 accomplished by the district under the powers conferred by Section

1 59, Article XVI, Texas Constitution.

2 (c) The creation of the district is essential to accomplish
3 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
4 70th Leg., R.S., Ch. 650, Secs. 1(b), 5.)

5 Sec. 8486.004. DISTRICT TERRITORY. (a) The district is
6 composed of the territory described by Section 3, Chapter 650, Acts
7 of the 70th Legislature, Regular Session, 1987, as that territory
8 may have been modified under:

9 (1) Subchapter H, Chapter 54, Water Code;

10 (2) Subchapter J, Chapter 49, Water Code; or

11 (3) other law.

12 (b) The boundaries and field notes of the district form a
13 closure. A mistake in the field notes or in copying the field notes
14 in the legislative process does not affect:

15 (1) the district's organization, existence, or
16 validity;

17 (2) the district's right to impose a tax; or

18 (3) the legality or operation of the district or its
19 governing body. (Acts 70th Leg., R.S., Ch. 650, Sec. 4; New.)

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 8486.051. COMPOSITION OF BOARD. The district is
22 governed by a board of five elected directors. (Acts 70th Leg.,
23 R.S., Ch. 650, Secs. 7(a), (b) (part).)

24 Sec. 8486.052. BOARD VACANCY. (a) Except as provided by
25 Subsection (b), a vacancy in the office of director shall be filled
26 in the manner provided by Section 49.105, Water Code.

27 (b) The Texas Commission on Environmental Quality shall

1 appoint directors to fill all of the vacancies on the board whenever
2 the number of qualified directors is fewer than three. (Acts 70th
3 Leg., R.S., Ch. 650, Sec. 7(e) (part); New.)

4 SUBCHAPTER C. POWERS AND DUTIES

5 Sec. 8486.101. MUNICIPAL UTILITY DISTRICT POWERS AND
6 DUTIES. The district has the rights, powers, privileges, duties,
7 and functions provided by general law applicable to a municipal
8 utility district created under Section 59, Article XVI, Texas
9 Constitution, including Chapters 49, 50, and 54, Water Code. (Acts
10 70th Leg., R.S., Ch. 650, Sec. 6(a) (part).)

11 SECTION 1.05. Subtitle G, Title 6, Special District Local
12 Laws Code, is amended by adding Chapter 8506 to read as follows:

13 CHAPTER 8506. UPPER COLORADO RIVER AUTHORITY

14 SUBCHAPTER A. GENERAL PROVISIONS

15 Sec. 8506.001. DEFINITIONS
16 Sec. 8506.002. CREATION AND NATURE OF AUTHORITY
17 Sec. 8506.003. TERRITORY
18 Sec. 8506.004. LIBERAL CONSTRUCTION OF CHAPTER

19 SUBCHAPTER B. BOARD OF DIRECTORS; ADMINISTRATIVE PROVISIONS

20 Sec. 8506.051. MEMBERSHIP OF BOARD
21 Sec. 8506.052. TERMS
22 Sec. 8506.053. REMOVAL
23 Sec. 8506.054. VACANCY
24 Sec. 8506.055. VOTING REQUIREMENT
25 Sec. 8506.056. OFFICERS AND EMPLOYEES
26 Sec. 8506.057. SURETY BONDS
27 Sec. 8506.058. AUTHORITY'S OFFICE AND DOMICILE

- 1 Sec. 8506.059. CONFLICT OF INTEREST; CRIMINAL PENALTY
2 SUBCHAPTER C. POWERS AND DUTIES
3 Sec. 8506.101. GENERAL POWERS
4 Sec. 8506.102. POWERS RELATED TO WATER OF COLORADO
5 RIVER AND ITS TRIBUTARIES
6 Sec. 8506.103. SALE AND DISTRIBUTION OF WATER OUTSIDE
7 BOUNDARIES OF AUTHORITY
8 Sec. 8506.104. DEVELOPMENT, GENERATION, DISTRIBUTION,
9 AND SALE OF WATER POWER AND ELECTRIC
10 ENERGY
11 Sec. 8506.105. PREVENTION OF DAMAGE TO PERSONS OR
12 PROPERTY
13 Sec. 8506.106. FORESTATION AND REFORESTATION;
14 PREVENTION OF SOIL EROSION AND FLOODS
15 Sec. 8506.107. AUTHORITY PROPERTY; EMINENT DOMAIN
16 Sec. 8506.108. SALE, LEASE, MORTGAGE, OR OTHER
17 DISPOSITION OF AUTHORITY PROPERTY
18 Sec. 8506.109. OVERFLOW OR INUNDATION OF PUBLIC
19 PROPERTY; RELOCATION OF ROADS
20 Sec. 8506.110. CONSTRUCTION, MAINTENANCE, AND
21 OPERATION OF FACILITIES
22 Sec. 8506.111. SEAL
23 Sec. 8506.112. GENERAL CONTRACT POWERS
24 Sec. 8506.113. ADDITIONAL POWERS RELATING TO
25 CONTRACTS, RULES, AND REGULATIONS
26 Sec. 8506.114. LIMITATIONS ON POWERS OF AUTHORITY
27 Sec. 8506.115. PUBLIC USE OF AUTHORITY'S LAND

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 8506.151. DISBURSEMENT OF MONEY

3 Sec. 8506.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;

4 PUBLIC INSPECTION

5 Sec. 8506.153. FILING OF COPIES OF AUDIT REPORT

6 Sec. 8506.154. RATES AND OTHER CHARGES

7 Sec. 8506.155. USE OF EXCESS REVENUE

8 Sec. 8506.156. TAX OR ASSESSMENT OR PLEDGE OF CREDIT

9 OF STATE NOT AUTHORIZED BY CHAPTER

10 SUBCHAPTER E. OBLIGATIONS RELATING TO BORROWED MONEY OR GRANTS

11 Sec. 8506.201. LOANS AND GRANTS

12 Sec. 8506.202. STATE PLEDGE REGARDING RIGHTS AND

13 REMEDIES OF BONDHOLDERS

14 Sec. 8506.203. OBLIGATION PAYABLE FROM REVENUE

15 Sec. 8506.204. POWER TO ISSUE REVENUE BONDS

16 Sec. 8506.205. TERMS OF ISSUANCE

17 Sec. 8506.206. DEPOSIT OF PROCEEDS

18 Sec. 8506.207. RESOLUTION PROVISIONS

19 Sec. 8506.208. DEFAULT PROCEDURES

20 Sec. 8506.209. POWER OF AUTHORITY TO PURCHASE BONDS

21 ISSUED BY AUTHORITY

22 Sec. 8506.210. BONDS EXEMPT FROM TAXATION

23 CHAPTER 8506. UPPER COLORADO RIVER AUTHORITY

24 SUBCHAPTER A. GENERAL PROVISIONS

25 Sec. 8506.001. DEFINITIONS. In this chapter:

26 (1) "Authority" means the Upper Colorado River

27 Authority.

1 (2) "Board" means the board of directors of the
2 authority.

3 (3) "Director" means a member of the board. (Acts 44th
4 Leg., R.S., G.L., Ch. 126, Secs. 1 (part), 3(a) (part); New.)

5 Sec. 8506.002. CREATION AND NATURE OF AUTHORITY. (a) The
6 authority is created as a conservation and reclamation district and
7 a state agency.

8 (b) The creation of the authority is essential to the
9 accomplishment of the purposes of Section 59(a), Article XVI, Texas
10 Constitution. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 1 (part),
11 18 (part).)

12 Sec. 8506.003. TERRITORY. Unless modified under Subchapter
13 J, Chapter 49, Water Code, or other law, the authority's territory
14 consists of that part of this state included in the boundaries of
15 Coke and Tom Green Counties. (Acts 44th Leg., R.S., G.L., Ch. 126,
16 Sec. 1 (part); New.)

17 Sec. 8506.004. LIBERAL CONSTRUCTION OF CHAPTER. This
18 chapter shall be liberally construed to effect its purposes. (Acts
19 44th Leg., R.S., G.L., Ch. 126, Sec. 20.)

20 SUBCHAPTER B. BOARD OF DIRECTORS; ADMINISTRATIVE PROVISIONS

21 Sec. 8506.051. MEMBERSHIP OF BOARD. (a) The board
22 consists of nine directors appointed by the governor with the
23 advice and consent of the senate.

24 (b) Each director must be a resident of and a freehold
25 property taxpayer in this state.

26 (c) Three directors must be residents of Tom Green County,
27 three directors must be residents of Coke County, and three

1 directors must be residents of counties contiguous to the authority
2 or a county any part of which is within 25 miles of the authority.
3 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 3(a) (part).)

4 Sec. 8506.052. TERMS. Directors are appointed for
5 staggered terms of six years with three directors' terms expiring
6 on February 1 of each odd-numbered year. (Acts 44th Leg., R.S.,
7 G.L., Ch. 126, Sec. 3(a) (part).)

8 Sec. 8506.053. REMOVAL. A director may be removed by the
9 governor for inefficiency, neglect of duty, or misconduct in
10 office, after at least 10 days' written notice of the charge against
11 the director and an opportunity to be heard in person or by counsel
12 at a public hearing. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec.
13 3(a) (part).)

14 Sec. 8506.054. VACANCY. A vacancy on the board shall be
15 filled by the governor for the unexpired term. (Acts 44th Leg.,
16 R.S., G.L., Ch. 126, Sec. 3(a) (part).)

17 Sec. 8506.055. VOTING REQUIREMENT. (a) Except as provided
18 by this chapter or the bylaws, action may be taken by the
19 affirmative vote of a majority of the directors present at a
20 meeting.

21 (b) The following are valid only if authorized or ratified
22 by the affirmative vote of at least five directors:

23 (1) a contract that involves an amount greater than
24 \$10,000 or has a duration of more than one year;

25 (2) a bond, note, or other evidence of indebtedness;
26 or

27 (3) an amendment of the bylaws. (Acts 44th Leg., R.S.,

1 G.L., Ch. 126, Sec. 3(b) (part).)

2 Sec. 8506.056. OFFICERS AND EMPLOYEES. (a) The board shall
3 select a secretary, a presiding officer, and a treasurer. The
4 treasurer may also hold the office of secretary.

5 (b) The secretary shall keep accurate and complete records
6 of all proceedings of the board.

7 (c) Until the board selects a secretary, or if the secretary
8 is absent or unable to act, the board shall select a secretary pro
9 tem.

10 (d) The presiding officer is the chief executive officer of
11 the authority.

12 (e) The secretary, secretary pro tem, presiding officer,
13 and treasurer have the powers and duties, hold office for the term,
14 and are subject to removal in the manner provided by the bylaws.

15 (f) The board shall set the compensation of the secretary,
16 secretary pro tem, presiding officer, and treasurer.

17 (g) The board may appoint other officers, agents, and
18 employees, set their compensation and term of office, prescribe
19 their duties and the method by which they may be removed, and
20 delegate to them any of its powers and duties as it considers
21 proper. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 2 (part), 4.)

22 Sec. 8506.057. SURETY BONDS. (a) The presiding officer,
23 the treasurer, and any other officer, agent, or employee of the
24 authority who is charged with the collection, custody, or payment
25 of authority money shall give bond conditioned on:

26 (1) the faithful performance of the person's duties;
27 and

1 (2) an accounting for all money and property of the
2 authority coming into the person's possession.

3 (b) The bond must be in a form and amount and with a surety
4 approved by the board, and the surety on the bond must be a surety
5 company authorized to do business in this state.

6 (c) The authority shall pay the premium on the bond and
7 charge the premium as an operating expense.

8 (d) The bond must be payable to the board for the use and
9 benefit of the authority. (Acts 44th Leg., R.S., G.L., Ch. 126,
10 Sec. 5 (part).)

11 Sec. 8506.058. AUTHORITY'S OFFICE AND DOMICILE. (a) The
12 board by majority vote shall determine the location of the
13 authority's general office.

14 (b) The county in which the authority's general office is
15 located is the authority's domicile.

16 (c) The presiding officer is in charge of the authority's
17 general office. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 6
18 (part).)

19 Sec. 8506.059. CONFLICT OF INTEREST; CRIMINAL PENALTY. (a)
20 A director, officer, agent, or employee of the authority may not be
21 directly or indirectly interested in a contract for the purchase of
22 any property or construction of any work by or for the authority.

23 (b) A person commits an offense if the person violates this
24 section. An offense under this subsection is a felony punishable
25 by:

26 (1) a fine not to exceed \$10,000;

27 (2) confinement in the institutional division of the

1 Texas Department of Criminal Justice for not less than one year or
2 more than 10 years; or

3 (3) both the fine and confinement. (Acts 44th Leg.,
4 R.S., G.L., Ch. 126, Sec. 7.)

5 SUBCHAPTER C. POWERS AND DUTIES

6 Sec. 8506.101. GENERAL POWERS. (a) The authority has:

7 (1) the powers of government and the authority to
8 exercise the rights, privileges, and functions specified by this
9 chapter; and

10 (2) all powers, rights, privileges, and functions
11 conferred by general law on any district created pursuant to
12 Section 59(a), Article XVI, Texas Constitution, except as expressly
13 limited by this chapter.

14 (b) The authority may perform any act necessary or
15 convenient to the exercise of the powers, rights, privileges, or
16 functions conferred on the authority by this chapter or any other
17 law. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 1 (part), 2
18 (part).)

19 Sec. 8506.102. POWERS RELATED TO WATER OF COLORADO RIVER
20 AND ITS TRIBUTARIES. Inside the boundaries of the authority, the
21 authority may:

22 (1) control, store, and preserve the water of the
23 Colorado River and its tributaries for any useful purpose; and

24 (2) use, distribute, and sell the water described by
25 Subdivision (1) for any useful purpose. (Acts 44th Leg., R.S.,
26 G.L., Ch. 126, Sec. 2 (part).)

27 Sec. 8506.103. SALE AND DISTRIBUTION OF WATER OUTSIDE

1 BOUNDARIES OF AUTHORITY. The authority may:

2 (1) sell and distribute water outside the boundaries
3 of the authority to any municipality for domestic, municipal, or
4 irrigation purposes or to any person for municipal purposes or
5 irrigation; and

6 (2) construct a flume, irrigation ditch, pipeline, or
7 storage reservoir outside the authority for a purpose described by
8 Subdivision (1). (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2
9 (part).)

10 Sec. 8506.104. DEVELOPMENT, GENERATION, DISTRIBUTION, AND
11 SALE OF WATER POWER AND ELECTRIC ENERGY. (a) The authority may:

12 (1) develop and generate water power and electric
13 energy inside the boundaries of the authority; and

14 (2) distribute and sell water power and electric
15 energy inside or outside the boundaries of the authority.

16 (b) A use authorized by this section is subordinate and
17 inferior to an irrigation requirement. (Acts 44th Leg., R.S.,
18 G.L., Ch. 126, Sec. 2 (part).)

19 Sec. 8506.105. PREVENTION OF DAMAGE TO PERSONS OR PROPERTY.
20 The authority may prevent or aid in the prevention of damage to
21 persons or property from the water of the Colorado River and its
22 tributaries. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2 (part).)

23 Sec. 8506.106. FORESTATION AND REFORESTATION; PREVENTION
24 OF SOIL EROSION AND FLOODS. In the watershed of the Colorado River
25 and its tributaries, the authority may:

26 (1) forest, reforest, or aid in foresting or
27 reforesting; and

1 (2) prevent or aid in the prevention of soil erosion
2 and floods. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2 (part).)

3 Sec. 8506.107. AUTHORITY PROPERTY; EMINENT DOMAIN.

4 (a) The authority may acquire, maintain, use, and operate property
5 of any kind or any interest in property, inside or outside the
6 boundaries of the authority, necessary or convenient to the
7 exercise of the powers, rights, privileges, and functions conferred
8 on the authority by this chapter. The authority may acquire the
9 property or interest in property by purchase, lease, gift, exercise
10 of the power of eminent domain, or any other manner.

11 (b) The authority must exercise the power of eminent domain
12 in the manner provided by:

13 (1) Chapter 21, Property Code; or

14 (2) the statutes relating to condemnation by districts
15 organized under general law pursuant to Section 59(a), Article XVI,
16 Texas Constitution. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2
17 (part).)

18 Sec. 8506.108. SALE, LEASE, MORTGAGE, OR OTHER DISPOSITION
19 OF AUTHORITY PROPERTY. (a) The authority may not:

20 (1) mortgage or otherwise encumber authority property
21 of any kind, or any interest in authority property; or

22 (2) acquire any property or interest in property
23 subject to a mortgage or conditional sale.

24 (b) Subsection (a) does not prevent pledging authority
25 revenue as authorized by this chapter.

26 (c) This chapter does not authorize the sale, lease, or
27 other disposition of authority property of any kind, or an interest

1 in authority property, by the authority, by a receiver of any
2 authority property, through a court proceeding, or otherwise.

3 (d) Notwithstanding Subsection (c), the authority may sell
4 for cash authority property of any kind, or an interest in authority
5 property, if:

6 (1) the board, by the affirmative vote of six members
7 of the board, determines that the property or interest is not
8 necessary or convenient to the business of the authority and
9 approves the terms of the sale; and

10 (2) the aggregate value of the properties or interests
11 sold in any year does not exceed \$50,000.

12 (e) It is the intent of the legislature that, except by sale
13 as expressly authorized by this section, authority property or an
14 interest in authority property never come into the ownership or
15 control, directly or indirectly, of any person other than a public
16 authority created under the laws of this state.

17 (f) Authority property is exempt from forced sale. The sale
18 of authority property under a judgment rendered in a suit is
19 prohibited. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 2 (part),
20 14.)

21 Sec. 8506.109. OVERFLOW OR INUNDATION OF PUBLIC PROPERTY;
22 RELOCATION OF ROADS. The authority may overflow and inundate any
23 public land or public property and require the relocation of a road
24 or highway in the manner and to the extent permitted to a district
25 organized under general law pursuant to Section 59(a), Article XVI,
26 Texas Constitution. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2
27 (part).)

1 Sec. 8506.110. CONSTRUCTION, MAINTENANCE, AND OPERATION OF
2 FACILITIES. The authority may construct, extend, improve,
3 maintain, and reconstruct, cause to be constructed, extended,
4 improved, maintained, and reconstructed, and use and operate
5 facilities of any kind necessary or convenient to the exercise of
6 the authority's powers, rights, privileges, and functions. (Acts
7 44th Leg., R.S., G.L., Ch. 126, Sec. 2 (part).)

8 Sec. 8506.111. SEAL. The authority may adopt and use a
9 corporate seal. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2
10 (part).)

11 Sec. 8506.112. GENERAL CONTRACT POWERS. The authority may
12 make a contract or execute an instrument necessary or convenient to
13 the exercise of the powers, rights, privileges, and functions
14 conferred on the authority by this chapter. (Acts 44th Leg., R.S.,
15 G.L., Ch. 126, Sec. 2 (part).)

16 Sec. 8506.113. ADDITIONAL POWERS RELATING TO CONTRACTS,
17 RULES, AND REGULATIONS. The authority may enter into and carry out
18 contracts or establish or comply with rules and regulations
19 concerning labor and materials and other related matters in
20 connection with any project the authority considers desirable or as
21 requested by the United States, or any corporation or agency
22 created, designated, or established by the United States, that may
23 assist in the financing of the project. (Acts 44th Leg., R.S.,
24 G.L., Ch. 126, Sec. 12.)

25 Sec. 8506.114. LIMITATIONS ON POWERS OF AUTHORITY. (a)
26 Notwithstanding any right or permit to use the water of the Colorado
27 River and its tributaries for the generation of hydroelectric power

1 that was issued by the former State Board of Water Engineers, was in
2 existence as of May 2, 1935, and is acquired by the authority, the
3 impounding and use of the floodwaters of the Colorado River and its
4 tributaries for the generation of hydroelectric power by the
5 authority or a person who succeeds to the rights and privileges
6 conferred on the authority by this chapter are subject to the rights
7 of any other person who before May 2, 1935, was impounding or as of
8 that date was putting to beneficial use any water for the purposes
9 described by Sections 11.024(1) and (2), Water Code, if the person:

10 (1) before May 2, 1935, received a permit for that use
11 from the former State Board of Water Engineers; or

12 (2) by law was permitted before May 2, 1935, to impound
13 water for those purposes.

14 (b) This chapter may not be construed to subject to
15 condemnation by the authority or any successor of the authority, or
16 by any person who succeeds to the rights and privileges conferred on
17 the authority by this chapter, any water:

18 (1) impounded or to be impounded inside or outside the
19 authority under any law authorizing water to be impounded or under
20 any permit granted to a municipal corporation or body politic; or

21 (2) impounded or permitted to be impounded or used
22 outside the authority under a permit granted to any person.

23 (c) This chapter may not be construed to deprive any person
24 of the right to impound the water of the Colorado River or its
25 tributaries for domestic or municipal purposes or to repeal any law
26 granting such a right to a person.

27 (d) The rights of the authority to impound, use, or sell the

1 water of the Colorado River and its tributaries for the generation
2 of hydroelectric power are subordinate and inferior to the rights
3 of:

4 (1) municipalities situated in the watershed of the
5 Colorado River and its tributaries to build dams and impound
6 floodwaters for municipal purposes; and

7 (2) any residents of this state or bodies politic to
8 build dams and impound the floodwaters in the watershed of the
9 Colorado River and its tributaries for domestic purposes and for
10 the purposes of irrigation.

11 (e) The title to any right, property, license, franchise, or
12 permit acquired by the authority is subject to the limitations
13 imposed by Subsection (d). (Acts 44th Leg., R.S., G.L., Ch. 126,
14 Secs. 2 (part), 2-a.)

15 Sec. 8506.115. PUBLIC USE OF AUTHORITY'S LAND. (a) The
16 authority may not prevent free public use of its land for
17 recreational purposes, hunting, or fishing except:

18 (1) at such points where, in the opinion of the board,
19 the use would interfere with the proper conduct of the business;

20 (2) in connection with the enforcement of sanitary
21 regulations; or

22 (3) to protect the public's health.

23 (b) All public rights-of-way not traversing the areas to be
24 flooded by the impounded waters shall remain open as a way of free
25 public passage to and from the lakes created, and a charge may not
26 be made to the public for the right to engage in hunting, fishing,
27 boating, or swimming thereon.

1 (c) On notice by a resident of this state of a violation of
2 this section, the attorney general shall institute the proper legal
3 proceedings to require the authority or its successor to comply
4 with this section.

5 (d) If the authority sells any of the authority's land
6 bordering a lake created under this chapter, the authority shall
7 retain in each tract a strip 80 feet wide abutting the high-water
8 line of the lake for the purpose of passage and use by the public for
9 public sports and amusements. This subsection does not apply to a
10 sale of land by the authority to a state or federal agency to be used
11 for game or fish sanctuaries, preserves, or for propagation
12 purposes. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 15.)

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

14 Sec. 8506.151. DISBURSEMENT OF MONEY. The authority may
15 disburse its money only by a check, draft, order, or other
16 instrument signed by a person authorized to sign the instrument by
17 the bylaws or a resolution in which at least five directors concur.
18 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 5 (part).)

19 Sec. 8506.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;
20 PUBLIC INSPECTION. (a) The authority shall keep complete and
21 accurate accounts conforming to approved methods of bookkeeping.

22 (b) The accounts and all contracts, documents, and records
23 of the authority shall be kept at the principal office of the
24 authority.

25 (c) The contracts shall be open to public inspection at all
26 reasonable times. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 6
27 (part).)

1 Sec. 8506.153. FILING OF COPIES OF AUDIT REPORT. Copies of
2 the audit report prepared under Subchapter G, Chapter 49, Water
3 Code, shall be certified to by the accountant who performed the
4 audit and filed:

- 5 (1) as required by Section 49.194, Water Code; and
6 (2) with the comptroller. (Acts 44th Leg., R.S.,
7 G.L., Ch. 126, Sec. 6 (part); New.)

8 Sec. 8506.154. RATES AND OTHER CHARGES. (a) The board
9 shall establish and collect rates and other charges for the sale or
10 use of water, water connections, power, electric energy, or other
11 services sold, provided, or supplied by the authority.

12 (b) The rates and charges must be reasonable,
13 nondiscriminatory, and sufficient to provide revenue adequate to:

14 (1) pay all expenses necessary to the operation and
15 maintenance of the properties and facilities of the authority;

16 (2) pay the interest on and the principal of all bonds
17 issued under this chapter or its predecessor statute when and as
18 they become due and payable;

19 (3) pay all sinking fund or reserve fund payments
20 agreed to be made with respect to bonds issued under this chapter or
21 its predecessor statute and payable out of that revenue when and as
22 they become due and payable; and

23 (4) fulfill the terms of any agreements made with the
24 holders of bonds issued under this chapter or its predecessor
25 statute or with any person in their behalf.

26 (c) The rates and charges may not exceed what may be
27 necessary to fulfill the obligations imposed on the authority by

1 this chapter. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 8 (part).)

2 Sec. 8506.155. USE OF EXCESS REVENUE. If the authority
3 receives revenue in excess of that required for the purposes
4 specified by Section 8506.154(b), the board may:

5 (1) use the excess revenue to:

6 (A) establish a reasonable depreciation and
7 emergency fund; or

8 (B) retire bonds issued under this chapter or its
9 predecessor statute by purchase and cancellation or redemption; or

10 (2) apply the excess revenue to any corporate purpose.

11 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 8 (part).)

12 Sec. 8506.156. TAX OR ASSESSMENT OR PLEDGE OF CREDIT OF
13 STATE NOT AUTHORIZED BY CHAPTER. This chapter does not authorize
14 the authority to:

15 (1) levy or collect a tax or assessment;

16 (2) create any debt payable out of taxes or
17 assessments; or

18 (3) in any way pledge the credit of this state. (Acts
19 44th Leg., R.S., G.L., Ch. 126, Sec. 1 (part).)

20 SUBCHAPTER E. OBLIGATIONS RELATING TO BORROWED MONEY OR GRANTS

21 Sec. 8506.201. LOANS AND GRANTS. The authority may:

22 (1) borrow money for the authority's corporate
23 purposes;

24 (2) borrow money or accept a grant from the United
25 States and, in connection with the loan or grant, enter into any
26 agreement the United States or the corporation or agency may
27 require; and

1 (3) make and issue bonds for money borrowed, in the
2 manner and to the extent provided by Sections 8506.204, 8506.205,
3 8506.206, 8506.207, and 8506.208. (Acts 44th Leg., R.S., G.L., Ch.
4 126, Sec. 2 (part).)

5 Sec. 8506.202. STATE PLEDGE REGARDING RIGHTS AND REMEDIES
6 OF BONDHOLDERS. This chapter does not deprive this state of its
7 power to regulate and control rates or charges to be collected for
8 the use of water, water connections, power, electric energy, or
9 another service. The state pledges to and agrees with the
10 purchasers and successive holders of the bonds issued under this
11 chapter that the state will not limit or alter the power this
12 chapter gives the authority to establish and collect rates and
13 charges that will produce revenue sufficient to pay the items
14 specified by Section 8506.154(b) or in any way impair the rights or
15 remedies of the holders of the bonds, or of any person in their
16 behalf, until the following are fully met and discharged:

- 17 (1) the bonds;
18 (2) the interest on the bonds;
19 (3) interest on unpaid installments of interest;
20 (4) all costs and expenses in connection with any
21 action or proceedings by or on behalf of the bondholders; and
22 (5) all other obligations of the authority in
23 connection with the bonds. (Acts 44th Leg., R.S., G.L., Ch. 126,
24 Sec. 8 (part).)

25 Sec. 8506.203. OBLIGATION PAYABLE FROM REVENUE. A debt,
26 liability, or obligation of the authority for the payment of money,
27 however entered into or incurred and whether arising from an

1 express or implied contract or otherwise, is payable solely:

2 (1) out of the revenue received by the authority with
3 respect to its properties, subject to any prior lien on the revenue
4 conferred by any resolution previously adopted as provided by this
5 chapter authorizing the issuance of bonds; or

6 (2) if the board so determines, out of the proceeds of
7 sale by the authority of bonds payable solely from revenue
8 described by Subdivision (1). (Acts 44th Leg., R.S., G.L., Ch. 126,
9 Sec. 9.)

10 Sec. 8506.204. POWER TO ISSUE REVENUE BONDS. (a) The
11 authority may issue revenue bonds for any corporate purpose in any
12 amount authorized by the directors but not to exceed an aggregate
13 principal amount of \$6 million.

14 (b) The bonds may be secured only by a pledge of the amounts
15 granted or donated by this state or out of any other current revenue
16 of the district, which amounts shall be paid to the legal holders of
17 the bonds.

18 (c) The bonds must be authorized by a board resolution.
19 (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 2 (part), 10 (part).)

20 Sec. 8506.205. TERMS OF ISSUANCE. Authority bonds may be:

21 (1) sold for cash;

22 (2) issued on terms the board determines in exchange
23 for property of any kind, or any interest in property, that the
24 board considers necessary or convenient for the corporate purpose
25 for which the bonds are issued; or

26 (3) issued in exchange for like principal amounts of
27 other obligations of the authority, whether matured or unmatured.

1 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 10 (part).)

2 Sec. 8506.206. DEPOSIT OF PROCEEDS. The proceeds of sale of
3 authority bonds shall be deposited in one or more banks or trust
4 companies, and shall be paid out according to the terms, on which
5 the authority and the purchasers of the bonds agree. (Acts 44th
6 Leg., R.S., G.L., Ch. 126, Sec. 10 (part).)

7 Sec. 8506.207. RESOLUTION PROVISIONS. (a) A resolution
8 authorizing bonds may contain provisions approved by the board that
9 are not inconsistent with this chapter, including provisions:

10 (1) reserving the right to redeem the bonds at the time
11 or times, in the amounts, and at the prices, not exceeding 105
12 percent of the principal amount of the bonds, plus accrued
13 interest, as may be provided;

14 (2) providing for the setting aside of sinking funds
15 or reserve funds and the regulation and disposition of those funds;

16 (3) pledging, to secure the payment of the principal
17 of and interest on the bonds and of the sinking fund or reserve fund
18 payments agreed to be made with respect to the bonds:

19 (A) all or any part of the gross or net revenue
20 subsequently received by the authority with respect to the property
21 to be acquired or constructed with the bonds or the proceeds of the
22 bonds; or

23 (B) all or any part of the gross or net revenue
24 subsequently received by the authority from any source;

25 (4) prescribing the purposes to which the bonds or any
26 bonds subsequently to be issued, or the proceeds of the bonds, may
27 be applied;

1 (5) agreeing to set and collect rates and charges
2 sufficient to produce revenue adequate to pay the items specified
3 by Section 8506.154(b) and prescribing the use and disposition of
4 all revenue;

5 (6) prescribing limitations on the issuance of
6 additional bonds and on the agreements that may be made with the
7 purchasers and successive holders of those bonds;

8 (7) regarding the construction, extension,
9 improvement, reconstruction, operation, maintenance, and repair of
10 the properties of the authority and the carrying of insurance on all
11 or any part of those properties covering loss or damage or loss of
12 use and occupancy resulting from specified risks;

13 (8) setting the procedure, if any, by which, if the
14 authority so desires, the terms of a contract with the bondholders
15 may be amended or abrogated, the amount of bonds the holders of
16 which must consent to that amendment or abrogation, and the manner
17 in which the consent may be given; and

18 (9) providing for the execution and delivery by the
19 authority to a bank or trust company authorized by law to accept
20 trusts, or to the United States or any officer of the United States,
21 of indentures and agreements for the benefit of the bondholders
22 setting forth any or all of the agreements authorized by this
23 chapter to be made with or for the benefit of the bondholders and
24 any other provisions that are customary in such indentures or
25 agreements.

26 (b) A provision authorized by this section that is contained
27 in a bond resolution is part of the contract between the authority

1 and the bondholders. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 10
2 (part).)

3 Sec. 8506.208. DEFAULT PROCEDURES. (a) This section
4 applies only to a default in:

5 (1) the payment of the interest on bonds as the
6 interest becomes due and payable;

7 (2) the payment of the principal of bonds as they
8 become due and payable, whether at maturity, by call for
9 redemption, or otherwise; or

10 (3) the performance of an agreement made with the
11 purchasers or successive holders of bonds.

12 (b) A resolution authorizing bonds and any indenture or
13 agreement entered into under the resolution may provide that in the
14 event of a default described by Subsection (a) that continues for a
15 period, if any, prescribed by the resolution, the trustee under the
16 indenture entered into with respect to the bonds authorized by the
17 resolution, or, if there is no indenture, a trustee appointed in the
18 manner provided in the resolution by the holders of 25 percent in
19 aggregate principal amount of the bonds authorized by the
20 resolution and then outstanding may, and on the written request of
21 the holders of 25 percent in aggregate principal amount of the bonds
22 authorized by the resolution then outstanding, shall, in the
23 trustee's own name, but for the equal and proportionate benefit of
24 the holders of all of the bonds, and with or without having
25 possession of the bonds:

26 (1) by mandamus or other suit, action, or proceeding
27 at law or in equity, enforce all rights of the bondholders;

1 (2) bring suit on the bonds or the appurtenant
2 coupons;

3 (3) by action or suit in equity, require the authority
4 to account as if it were the trustee of an express trust for the
5 bondholders;

6 (4) by action or suit in equity, enjoin any acts or
7 things that may be unlawful or in violation of the rights of the
8 bondholders; or

9 (5) after such notice to the authority as the
10 resolution may provide, declare the principal of all of the bonds
11 due and payable, and if all defaults have been made good, then with
12 the written consent of the holders of 25 percent in aggregate
13 principal amount of the bonds then outstanding, annul the
14 declaration and its consequences.

15 (c) Notwithstanding Subsection (b), the holders of more
16 than a majority in principal amount of the bonds authorized by the
17 resolution and then outstanding, by written instrument delivered to
18 the trustee, are entitled to direct and control any and all action
19 taken or to be taken by the trustee under this section.

20 (d) A resolution, indenture, or agreement relating to bonds
21 may provide that in a suit, action, or proceeding under this
22 section, the trustee, whether or not all of the bonds have been
23 declared due and payable and with or without possession of any of
24 the bonds, is entitled to the appointment of a receiver who may:

25 (1) enter and take possession of all or any part of the
26 properties of the authority;

27 (2) operate and maintain the properties;

1 (3) set, collect, and receive rates and charges
2 sufficient to provide revenue adequate to pay the items specified
3 by Section 8506.154(b) and the costs and disbursements of the suit,
4 action, or proceeding; and

5 (4) apply the revenue in conformity with this chapter
6 and the resolution authorizing the bonds.

7 (e) In a suit, action, or proceeding by a trustee under this
8 section, the reasonable fees, attorney's fees, and expenses of the
9 trustee and of the receiver, if any, constitute taxable
10 disbursements, and all costs and disbursements allowed by the court
11 are a first charge on any revenue pledged to secure the payment of
12 the bonds.

13 (f) The courts of the county in which the authority is
14 domiciled have jurisdiction of a suit, action, or proceeding by a
15 trustee on behalf of the bondholders and of all property involved in
16 the suit, action, or proceeding.

17 (g) In addition to the powers specifically provided by this
18 section, a trustee has all powers necessary or appropriate for the
19 exercise of the powers specifically provided or incident to the
20 general representation of the bondholders in the enforcement of
21 their rights. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 10
22 (part).)

23 Sec. 8506.209. POWER OF AUTHORITY TO PURCHASE BONDS ISSUED
24 BY AUTHORITY. (a) Using any money available for the purpose, the
25 authority may purchase bonds issued by it at a price not exceeding
26 the redemption price applicable at the time of purchase, or, if the
27 bonds are not redeemable, at a price not exceeding the principal

1 amount of the bonds plus accrued interest.

2 (b) All bonds purchased under this section shall be
3 canceled, and bonds may not be issued in lieu of those bonds. (Acts
4 44th Leg., R.S., G.L., Ch. 126, Sec. 13.)

5 Sec. 8506.210. BONDS EXEMPT FROM TAXATION. A bond issued
6 under this chapter and the interest on the bond is exempt from
7 taxation, except inheritance taxes, by this state or by any
8 political subdivision of this state. (Acts 44th Leg., R.S., G.L.,
9 Ch. 126, Sec. 16.)

10 SECTION 1.06. Subtitle I, Title 6, Special District Local
11 Laws Code, is amended by adding Chapters 9020, 9023, 9028, 9045,
12 9049, 9050, 9051, 9052, 9053, 9055, 9056, 9057, 9059, 9060, 9061,
13 9062, and 9063 to read as follows:

14 CHAPTER 9020. DONAHOE CREEK WATERSHED AUTHORITY

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 9020.001. DEFINITIONS

17 Sec. 9020.002. NATURE OF AUTHORITY

18 Sec. 9020.003. FINDINGS OF BENEFIT AND PURPOSE

19 Sec. 9020.004. AUTHORITY TERRITORY

20 Sec. 9020.005. APPLICABILITY OF OTHER WATER CONTROL

21 AND IMPROVEMENT DISTRICT LAW

22 SUBCHAPTER B. BOARD OF DIRECTORS

23 Sec. 9020.051. COMPOSITION OF BOARD

24 Sec. 9020.052. QUALIFICATIONS FOR OFFICE

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 9020.101. GENERAL POWERS

1 Sec. 9020.102. WATER CONTROL AND IMPROVEMENT DISTRICT
2 POWERS

3 Sec. 9020.103. CONTROL OF WATER AND FLOODWATER;
4 RECLAMATION

5 Sec. 9020.104. COST OF RELOCATING OR ALTERING PROPERTY
6 SUBCHAPTER D. TAXES

7 Sec. 9020.151. IMPOSITION OF MAINTENANCE TAX; ELECTION
8 PROCEDURE

9 Sec. 9020.152. MAINTENANCE TAX RATE

10 Sec. 9020.153. HEARING ON CHANGE IN METHOD OF
11 TAXATION; LIMITATION

12 SUBCHAPTER E. BONDS

13 Sec. 9020.201. ISSUANCE OF BONDS

14 Sec. 9020.202. PLEDGE OF REVENUE TO PAY BONDS

15 CHAPTER 9020. DONAHOE CREEK WATERSHED AUTHORITY

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 9020.001. DEFINITIONS. In this chapter:

18 (1) "Authority" means the Donahoe Creek Watershed
19 Authority.

20 (2) "Board" means the board of directors of the
21 authority.

22 (3) "Director" means a member of the board. (Acts 55th
23 Leg., 1st C.S., Ch. 29, Sec. 1 (part); New.)

24 Sec. 9020.002. NATURE OF AUTHORITY. The authority is a
25 conservation and reclamation district in portions of Bell, Milam,
26 and Williamson Counties. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 1
27 (part).)

1 Sec. 9020.003. FINDINGS OF BENEFIT AND PURPOSE. (a) All
2 territory included in the authority will benefit from the works and
3 projects accomplished by the authority under the powers conferred
4 by Section 59, Article XVI, Texas Constitution.

5 (b) The creation of the authority is essential to accomplish
6 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
7 55th Leg., 1st C.S., Ch. 29, Secs. 1 (part), 2 (part).)

8 Sec. 9020.004. AUTHORITY TERRITORY. The authority is
9 composed of the territory described by Section 2, Chapter 29, Acts
10 of the 55th Legislature, 1st Called Session, 1957, as that
11 territory may have been modified under:

- 12 (1) Subchapter O, Chapter 51, Water Code;
13 (2) Subchapter J, Chapter 49, Water Code; or
14 (3) other law. (Acts 55th Leg., 1st C.S., Ch. 29, Sec.
15 1 (part); New.)

16 Sec. 9020.005. APPLICABILITY OF OTHER WATER CONTROL AND
17 IMPROVEMENT DISTRICT LAW. Except as provided by this chapter,
18 general laws pertaining to water control and improvement districts
19 govern the authority. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 13.)

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 9020.051. COMPOSITION OF BOARD. The board consists of
22 six elected directors. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 14
23 (part).)

24 Sec. 9020.052. QUALIFICATIONS FOR OFFICE. (a) Each
25 director of the authority must:

- 26 (1) be a landowner within the authority; and
27 (2) reside in Bell, Milam, or Williamson County.

1 (b) A director who fails to meet the requirements of
2 Subsection (a) during the director's tenure in office shall vacate
3 that office. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 14 (part).)

4 SUBCHAPTER C. POWERS AND DUTIES

5 Sec. 9020.101. GENERAL POWERS. The authority may exercise
6 the rights, privileges, and functions provided by this chapter.
7 (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 1 (part).)

8 Sec. 9020.102. WATER CONTROL AND IMPROVEMENT DISTRICT
9 POWERS. In exercising the power for which the authority is created,
10 the authority has the powers conferred by general law on water
11 control and improvement districts, including the power to:

12 (1) construct, acquire, improve, maintain, and repair
13 a dam or other structure; and

14 (2) acquire land, easements, equipment, or other
15 property needed to use, control, and distribute water that may be
16 impounded, diverted, or controlled by the authority. (Acts 55th
17 Leg., 1st C.S., Ch. 29, Sec. 5.)

18 Sec. 9020.103. CONTROL OF WATER AND FLOODWATER;
19 RECLAMATION. The authority may:

20 (1) control, store, preserve, and distribute the water
21 and floodwater in the authority for the irrigation of arid land,
22 conservation, preservation, reclamation, and drainage of the lands
23 in the authority;

24 (2) carry out flood prevention measures to prevent
25 damage to the land and other property in the authority; and

26 (3) reclaim lands heretofore damaged because of the
27 prior failure to provide the facilities authorized to be

- 1 Sec. 9023.004. DISTRICT TERRITORY
- 2 SUBCHAPTER B. BOARD OF DIRECTORS
- 3 Sec. 9023.051. COMPOSITION OF BOARD
- 4 Sec. 9023.052. ELECTION OF DIRECTORS
- 5 SUBCHAPTER C. POWERS AND DUTIES
- 6 Sec. 9023.101. WATER CONTROL AND IMPROVEMENT DISTRICT
- 7 POWERS
- 8 Sec. 9023.102. GENERAL CONTRACT POWERS
- 9 Sec. 9023.103. ACQUISITION OF PROPERTY
- 10 Sec. 9023.104. COST OF RELOCATING OR ALTERING PROPERTY
- 11 Sec. 9023.105. WATER PERMIT ACQUIRED FROM MUNICIPALITY
- 12 SUBCHAPTER D. BONDS
- 13 Sec. 9023.151. AUTHORITY TO ISSUE BONDS
- 14 Sec. 9023.152. CERTAIN BOND COVENANTS AUTHORIZED
- 15 Sec. 9023.153. MATURITY
- 16 Sec. 9023.154. USE OF BOND PROCEEDS
- 17 Sec. 9023.155. BONDS SECURED BY REVENUE ; ADDITIONAL
- 18 BONDS
- 19 Sec. 9023.156. BONDS SECURED BY AD VALOREM TAXES
- 20 Sec. 9023.157. REFUNDING BONDS
- 21 SUBCHAPTER E. DISANNEXATION OF MUNICIPAL TERRITORY
- 22 Sec. 9023.201. DEFINITION
- 23 Sec. 9023.202. DISANNEXATION OF MUNICIPAL TERRITORY
- 24 Sec. 9023.203. PETITION
- 25 Sec. 9023.204. ELECTION ORDER
- 26 Sec. 9023.205. BALLOT
- 27 Sec. 9023.206. ELECTION

1 Sec. 9023.207. BOARD VOTE

2 Sec. 9023.208. APPOINTMENT OF MASTER

3 Sec. 9023.209. DISTRIBUTION OF PROPERTY, RECEIVABLES,
4 AND OTHER ASSETS

5 Sec. 9023.210. PROVISION OF SERVICES OUTSIDE

6 DISANNEXED MUNICIPAL TERRITORY

7 CHAPTER 9023. DUVAL COUNTY CONSERVATION AND RECLAMATION DISTRICT

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 9023.001. DEFINITIONS. In this chapter:

10 (1) "Board" means the district's board of directors.

11 (2) "Director" means a member of the board.

12 (3) "District" means the Duval County Conservation and
13 Reclamation District. (Acts 51st Leg., R.S., Ch. 398, Sec. 1
14 (part); New.)

15 Sec. 9023.002. NATURE OF DISTRICT. The district is:

16 (1) a conservation and reclamation district under
17 Section 59, Article XVI, Texas Constitution; and

18 (2) a municipal corporation. (Acts 51st Leg., R.S.,
19 Ch. 398, Secs. 1 (part), 13 (part).)

20 Sec. 9023.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

21 The district is created to serve a public use and benefit.

22 (b) All land included in the boundaries of the district will
23 benefit from that inclusion.

24 (c) The district is essential to accomplish the purposes of
25 Section 59, Article XVI, Texas Constitution. (Acts 51st Leg.,
26 R.S., Ch. 398, Secs. 4 (part), 13 (part).)

27 Sec. 9023.004. DISTRICT TERRITORY. The district is

1 composed of the territory described by Section 1, Chapter 398, Acts
2 of the 51st Legislature, Regular Session, 1949, as that territory
3 may have been modified under:

- 4 (1) Subchapter O, Chapter 51, Water Code;
- 5 (2) Subchapter J, Chapter 49, Water Code;
- 6 (3) Subchapter E or the relevant parts of its
7 predecessor statute, former Section 4A, Chapter 398, Acts of the
8 51st Legislature, Regular Session, 1949; or
- 9 (4) other law. (New.)

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 9023.051. COMPOSITION OF BOARD. The board is composed
12 of four elected directors. (Acts 51st Leg., R.S., Ch. 398, Secs.
13 3(a) (part), (b) (part), (g).)

14 Sec. 9023.052. ELECTION OF DIRECTORS. (a) Directors are
15 elected to positions according to the place system as provided by
16 this section.

17 (b) Except as provided by Subsection (c):

18 (1) a director elected to place 1 or 2 must be a
19 resident of Benavides and be elected by the voters of the district
20 who reside in Benavides and its extraterritorial jurisdiction; and

21 (2) a director elected to place 3 or 4 must be a
22 resident of, and be elected by the voters of the district who reside
23 in, the part of Duval County that is not within:

24 (A) the corporate limits or extraterritorial
25 jurisdiction of San Diego or Benavides; or

26 (B) the Freer Water Control and Improvement
27 District.

1 (c) If Benavides and the area within its extraterritorial
2 jurisdiction disannex under Subchapter E:

3 (1) a director who represents Benavides and the area
4 within its extraterritorial jurisdiction ceases to be a director on
5 the date disannexation takes effect;

6 (2) the remaining directors as soon as possible shall
7 order a special election to elect the appropriate number of
8 directors to fill the unexpired terms if the disannexation results
9 in vacancies on the board; and

10 (3) a director for each place on the board must be a
11 resident of the part of Duval County that is not within:

12 (A) the corporate limits or extraterritorial
13 jurisdiction of San Diego or Benavides; or

14 (B) the Freer Water Control and Improvement
15 District. (Acts 51st Leg., R.S., Ch. 398, Secs. 3(b) (part), (e),
16 (f).)

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 9023.101. WATER CONTROL AND IMPROVEMENT DISTRICT
19 POWERS. The district has the rights, powers, privileges, and
20 duties provided by general law applicable to a water control and
21 improvement district created under Section 59, Article XVI, Texas
22 Constitution, including Chapters 49 and 51, Water Code. (Acts 51st
23 Leg., R.S., Ch. 398, Sec. 2 (part); New.)

24 Sec. 9023.102. GENERAL CONTRACT POWERS. The board may
25 enter into a contract with any individual or any public or private
26 corporation, inside or outside the district, that the board
27 considers advisable and expedient to accomplish the district's

1 purposes. (Acts 51st Leg., R.S., Ch. 398, Sec. 11 (part).)

2 Sec. 9023.103. ACQUISITION OF PROPERTY. The district may
3 acquire property not already devoted to public use in the district
4 that the board considers necessary to accomplish the district's
5 objectives. (Acts 51st Leg., R.S., Ch. 398, Sec. 9 (part).)

6 Sec. 9023.104. COST OF RELOCATING OR ALTERING PROPERTY. If
7 the district's exercise of the power of eminent domain, the power of
8 relocation, or any other power granted by this chapter, makes
9 necessary relocating, raising, rerouting, changing the grade of, or
10 altering the construction of a highway, railroad, electric
11 transmission line, pipeline, or telegraph or telephone property or
12 facility, the necessary action shall be accomplished at the sole
13 expense of the district. (Acts 51st Leg., R.S., Ch. 398, Sec. 9
14 (part).)

15 Sec. 9023.105. WATER PERMIT ACQUIRED FROM MUNICIPALITY. A
16 water permit acquired by the district from a municipality in the
17 district must be acquired subject to a provision that, in case of a
18 shortage of water supply, the municipality has a right to receive
19 water from the district that is superior to the right of anyone else
20 to use water. (Acts 51st Leg., R.S., Ch. 398, Sec. 12 (part).)

21 SUBCHAPTER D. BONDS

22 Sec. 9023.151. AUTHORITY TO ISSUE BONDS. The district may
23 issue bonds pursuant to a board resolution for any purpose
24 permitted to water control and improvement districts, including the
25 acquisition by construction or otherwise of plants and improvements
26 for storing, treating, purifying, protecting, transporting,
27 transmitting, delivering, and disposing of, through sale or

1 otherwise, flood, storm, flow, or underground water for lawful
2 uses. (Acts 51st Leg., R.S., Ch. 398, Sec. 5 (part).)

3 Sec. 9023.152. CERTAIN BOND COVENANTS AUTHORIZED. A
4 resolution authorizing the issuance of district bonds may contain
5 any covenant the board considers necessary to ensure:

6 (1) the creation and maintenance of proper reserves;
7 and

8 (2) the payment of the principal of and interest on the
9 bonds. (Acts 51st Leg., R.S., Ch. 398, Sec. 5 (part).)

10 Sec. 9023.153. MATURITY. District bonds, including
11 refunding bonds, must mature not later than 40 years after the date
12 of their issuance. (Acts 51st Leg., R.S., Ch. 398, Sec. 5 (part).)

13 Sec. 9023.154. USE OF BOND PROCEEDS. The district may
14 appropriate and pay from the proceeds of the sale of bonds the
15 interest to accrue on the bonds for a period not to exceed three
16 years from their date. (Acts 51st Leg., R.S., Ch. 398, Sec. 5
17 (part).)

18 Sec. 9023.155. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.

19 (a) In this section, "net revenues" means all income or increment
20 from the ownership and operation of improvements and facilities
21 operated by the district, minus the amount reasonably required to
22 provide for the administration, efficient operation, and adequate
23 maintenance of the improvements and facilities. The term does not
24 include money derived from taxation.

25 (b) District bonds may be secured by:

26 (1) a pledge of the district's net revenues; or

27 (2) a pledge of the district's net revenues and the

1 imposition of a continuing ad valorem tax described by Section
2 9023.156.

3 (c) The district may issue bonds secured as provided by
4 Subsection (b)(1) without submitting the question of the issuance
5 to an election.

6 (d) The district may not issue bonds secured as provided by
7 Subsection (b)(2) unless the bonds are authorized by a majority of
8 the votes cast in an election in the district.

9 (e) Within the board's discretion, the bonds may also be
10 secured by a lien on the physical properties of the district.

11 (f) The district may execute contracts, evidences of
12 pledge, deeds of trust, trust indentures, and other instruments
13 that fix a lien on net revenues and the physical properties of the
14 district that the board, in its discretion, determines are
15 necessary or convenient to evidence and secure the obligation of
16 the district to pay the principal of and interest on the bonds.

17 (g) The resolution authorizing the issuance of bonds
18 secured by a pledge of net revenues may:

19 (1) contain the conditions under which additional
20 bonds secured by a pledge of net revenues may be subsequently
21 issued;

22 (2) prescribe the conditions under which the district
23 has the right to release the lien on net revenues and on the
24 district's physical properties, if encumbered, by depositing at the
25 bank or place of payment money sufficient to pay:

26 (A) the principal of and interest on the bonds to
27 the date on which the bonds may become optional and any premium

1 payment stipulated in the resolution; or

2 (B) the principal of and interest on the bonds to
3 maturity if an option of prior payment is not reserved; or

4 (3) prescribe the conditions under which the
5 continuing ad valorem tax described by Section 9023.156, if any, to
6 be collected in any year during which any of the bonds are
7 outstanding may be reduced or omitted when net revenues are
8 sufficient to provide the money necessary for principal, interest,
9 and reserve requirements prescribed by this subchapter.

10 (h) Additional bonds described by Subsection (g)(1) must be
11 secured by a lien and pledge of net revenues that is inferior to the
12 lien and pledge securing the bonds originally issued unless the
13 additional bonds are issued in full compliance with the
14 restrictions applicable to additional bonds on a parity with the
15 bonds originally issued. (Acts 51st Leg., R.S., Ch. 398, Secs. 7,
16 8.)

17 Sec. 9023.156. BONDS SECURED BY AD VALOREM TAXES. (a) This
18 section does not apply to district bonds secured only by a pledge of
19 net revenues as defined by Section 9023.155(a).

20 (b) If bonds have been voted, the board shall impose a
21 continuing ad valorem tax on all property in the district
22 sufficient:

23 (1) to pay the principal of and interest on the bonds
24 as the principal and interest respectively mature;

25 (2) to create and maintain any reserve required by the
26 resolution or resolutions authorizing the issuance of the bonds;

27 (3) to pay the expense of assessing and collecting the

1 tax; and

2 (4) for anticipated delinquencies in the tax payments.

3 (c) The board annually shall determine and set or cause to
4 be determined and set the rate of the ad valorem tax to be imposed
5 under this section. (Acts 51st Leg., R.S., Ch. 398, Sec. 6.)

6 Sec. 9023.157. REFUNDING BONDS. (a) The district may issue
7 refunding bonds without an election.

8 (b) District bonds may be refunded by:

9 (1) the issuance and delivery to holders of refunding
10 bonds in lieu of the outstanding bonds; or

11 (2) the sale of refunding bonds and the use of the
12 proceeds for retiring the outstanding bonds. (Acts 51st Leg.,
13 R.S., Ch. 398, Sec. 5 (part).)

14 SUBCHAPTER E. DISANNEXATION OF MUNICIPAL TERRITORY

15 Sec. 9023.201. DEFINITION. In this subchapter, "municipal
16 territory" means the territory located in the corporate boundaries
17 and the extraterritorial jurisdiction of a municipality located in
18 the district. (Acts 51st Leg., R.S., Ch. 398, Secs. 4A(a) (part),
19 (b) (part).)

20 Sec. 9023.202. DISANNEXATION OF MUNICIPAL TERRITORY.
21 Municipal territory may be disannexed from the district under this
22 subchapter on petition for an election on disannexation and a vote
23 in favor of the disannexation by the majority of voters voting at an
24 election ordered for that purpose. (Acts 51st Leg., R.S., Ch. 398,
25 Sec. 4A(a) (part).)

26 Sec. 9023.203. PETITION. (a) A petition for an election to
27 disannex municipal territory under this subchapter must:

1 (1) be signed by at least the lesser of 250 registered
2 voters of the district who are residents of the municipal territory
3 or a number of registered voters equal to five percent of the total
4 votes cast in the municipal territory in the most recent district
5 election;

6 (2) state that the purpose of the petition is to order
7 an election to determine whether the municipal territory should be
8 disannexed; and

9 (3) include each petitioner's:

- 10 (A) signature;
- 11 (B) printed name;
- 12 (C) address;
- 13 (D) voting precinct;
- 14 (E) voter certificate number; and
- 15 (F) date of signing.

16 (b) The petition must be filed with the district manager.

17 (c) Not later than the 30th day after the date the petition
18 is filed, the district manager shall:

- 19 (1) verify the validity of the petition; and
- 20 (2) determine whether the petition contains the number
21 of signatures required to order an election. (Acts 51st Leg., R.S.,
22 Ch. 398, Secs. 4A(a) (part), (b) (part).)

23 Sec. 9023.204. ELECTION ORDER. (a) The board shall order
24 an election for the purpose of disannexation of municipal territory
25 under this subchapter if the district manager certifies the number
26 of signatures required for ordering the election.

27 (b) The board shall order the election not later than the

1 90th day after the date the district manager certifies the
2 sufficiency of the petition. (Acts 51st Leg., R.S., Ch. 398, Sec.
3 4A(b) (part).)

4 Sec. 9023.205. BALLOT. The ballot for an election under
5 this subchapter must permit voting for one of the following three
6 propositions:

7 (1) "The City of (name of municipality) and the area
8 within the city's extraterritorial jurisdiction shall not be
9 disannexed from the Duval County Conservation and Reclamation
10 District";

11 (2) "The City of (name of municipality) and the area
12 within the city's extraterritorial jurisdiction shall be
13 disannexed from the Duval County Conservation and Reclamation
14 District, and on disannexation the city council of (name of
15 municipality) shall establish or acquire systems to provide the
16 water and sewer services formerly provided by the Duval County
17 Conservation and Reclamation District in the disannexed area"; or

18 (3) "The City of (name of municipality) and the area
19 within the city's extraterritorial jurisdiction shall be
20 disannexed from the Duval County Conservation and Reclamation
21 District, and on disannexation the city council of (name of
22 municipality) shall initiate a petition for, and shall consent to,
23 as provided by Sections [54.014](#) and [54.016](#), Water Code, the creation
24 of a municipal utility district to provide the water and sewer
25 services formerly provided by the Duval County Conservation and
26 Reclamation District in the disannexed area." (Acts 51st Leg.,
27 R.S., Ch. 398, Sec. 4A(c).)

1 Sec. 9023.206. ELECTION. (a) Only voters who reside in the
2 municipal territory to be disannexed under this subchapter may vote
3 in the disannexation election.

4 (b) The municipal territory is not disannexed from the
5 district if a majority of the total votes cast in the election is in
6 favor of the proposition stated in Section 9023.205(1).

7 (c) If the total vote in favor of the propositions stated in
8 Sections 9023.205(2) and (3) is a majority of the votes cast in the
9 election, the majority of the votes cast in the election is for
10 disannexation from the district. As between the two propositions,
11 the proposition that receives the greater number of votes prevails.

12 (d) If disannexation fails, an election under this
13 subchapter to disannex the same municipal territory may not be held
14 for one year. (Acts 51st Leg., R.S., Ch. 398, Secs. 4A(b) (part),
15 (d).)

16 Sec. 9023.207. BOARD VOTE. (a) The directors shall vote to
17 disannex municipal territory if the majority of the votes cast in an
18 election under this subchapter is for disannexation.

19 (b) The directors shall vote to disannex the municipal
20 territory at the same board meeting at which the directors canvass
21 the election results. (Acts 51st Leg., R.S., Ch. 398, Sec. 4A(e)
22 (part).)

23 Sec. 9023.208. APPOINTMENT OF MASTER. Not later than the
24 30th day after the election results are canvassed and the board
25 votes to disannex municipal territory under Section 9023.207, the
26 executive director of the Texas Commission on Environmental Quality
27 shall appoint an independent master to oversee the distribution of

1 assets consistent with disannexation. (Acts 51st Leg., R.S., Ch.
2 398, Sec. 4A(e) (part).)

3 Sec. 9023.209. DISTRIBUTION OF PROPERTY, RECEIVABLES, AND
4 OTHER ASSETS. (a) All infrastructure and real property, including
5 water and sewer lines, storage tanks, treatment plants, towers,
6 buildings, land, and other facilities located within municipal
7 territory disannexed under this subchapter that are related to the
8 provision of water and sewer services by the district in the
9 disannexed territory, shall revert to the disannexed municipality.

10 (b) All receivables from connections in municipal territory
11 disannexed under this subchapter transfer to the disannexed
12 municipality.

13 (c) Other assets, including vehicles, computers, office
14 furniture and equipment, and cash, shall be divided between the
15 district and the disannexed municipality by the master in
16 proportion to the population of the district or the disannexed
17 municipal territory. (Acts 51st Leg., R.S., Ch. 398, Sec. 4A(e)
18 (part).)

19 Sec. 9023.210. PROVISION OF SERVICES OUTSIDE DISANNEXED
20 MUNICIPAL TERRITORY. (a) This section applies only to a municipal
21 water or sewer system established or acquired as a result of voter
22 approval of the proposition stated in Section 9023.205(2).

23 (b) A municipal water or sewer system may serve an area
24 immediately outside the extraterritorial jurisdiction of the
25 disannexed municipality if the residents of the area agree to be
26 served by the system. (Acts 51st Leg., R.S., Ch. 398, Sec. 4B(a).)

1 CHAPTER 9028. CHOCTAW WATERSHED WATER IMPROVEMENT DISTRICT
2 SUBCHAPTER A. GENERAL PROVISIONS
3 Sec. 9028.001. DEFINITIONS
4 Sec. 9028.002. NATURE OF DISTRICT
5 Sec. 9028.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
6 Sec. 9028.004. DISTRICT TERRITORY
7 SUBCHAPTER B. BOARD OF DIRECTORS
8 Sec. 9028.051. COMPOSITION OF BOARD
9 SUBCHAPTER C. POWERS AND DUTIES
10 Sec. 9028.101. WATER CONTROL AND IMPROVEMENT DISTRICT
11 POWERS
12 Sec. 9028.102. COST OF RELOCATING OR ALTERING PROPERTY
13 Sec. 9028.103. WATERSHED PROTECTION AND FLOOD
14 PREVENTION ACT
15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
16 Sec. 9028.151. TAX METHOD
17 Sec. 9028.152. LIMITATION ON TAX RATE
18 Sec. 9028.153. TAX ASSESSOR-COLLECTOR
19 Sec. 9028.154. ELECTION REQUIRED FOR FEDERAL LOAN
20 Sec. 9028.155. APPROVAL OF AND FUNDING FOR CERTAIN
21 PLANS FOR WORKS AND IMPROVEMENTS
22 SUBCHAPTER E. BONDS
23 Sec. 9028.201. AUTHORITY TO ISSUE BONDS
24 Sec. 9028.202. BOND ELECTION REQUIRED
25 CHAPTER 9028. CHOCTAW WATERSHED WATER IMPROVEMENT DISTRICT
26 SUBCHAPTER A. GENERAL PROVISIONS
27 Sec. 9028.001. DEFINITIONS. In this chapter:

1 (1) "Board" means the district's board of directors.

2 (2) "Director" means a board member.

3 (3) "District" means the Choctaw Watershed Water
4 Improvement District. (Acts 56th Leg., R.S., Ch. 33, Sec. 1 (part);
5 New.)

6 Sec. 9028.002. NATURE OF DISTRICT. The district is a water
7 control and improvement district under Section 59, Article XVI,
8 Texas Constitution. (Acts 56th Leg., R.S., Ch. 33, Sec. 1 (part).)

9 Sec. 9028.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
10 The district is created to serve a public use and benefit.

11 (b) All land and other property included in the boundaries
12 of the district will benefit from the district and the
13 improvements, works, and measures constructed and accomplished by
14 the district.

15 (c) The district is essential to accomplish the purposes of
16 Section 59, Article XVI, Texas Constitution. (Acts 56th Leg., R.S.,
17 Ch. 33, Secs. 6 (part), 7 (part).)

18 Sec. 9028.004. DISTRICT TERRITORY. The district is
19 composed of the territory described by Section 2, Chapter 33, Acts
20 of the 56th Legislature, Regular Session, 1959, as that territory
21 may have been modified under:

22 (1) Subchapter O, Chapter 51, Water Code;

23 (2) Subchapter J, Chapter 49, Water Code; or

24 (3) other law. (New.)

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 9028.051. COMPOSITION OF BOARD. The board is composed
27 of five elected directors. (Acts 56th Leg., R.S., Ch. 33, Secs.

1 5(a) (part), (c) (part).)

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 9028.101. WATER CONTROL AND IMPROVEMENT DISTRICT
4 POWERS. The district has the rights, powers, privileges, and
5 duties provided by general law applicable to a water control and
6 improvement district created under Section 59, Article XVI, Texas
7 Constitution, including Chapters 49 and 51, Water Code. (Acts 56th
8 Leg., R.S., Ch. 33, Sec. 3 (part); New.)

9 Sec. 9028.102. COST OF RELOCATING OR ALTERING PROPERTY. If
10 the district's exercise of the power of eminent domain, the power of
11 relocation, or any other power granted by this chapter makes
12 necessary relocating, raising, rerouting, changing the grade of, or
13 altering the construction of a highway, railroad, electric
14 transmission line, pipeline, or telephone or telegraph property or
15 facility, the necessary action shall be accomplished at the sole
16 expense of the district. (Acts 56th Leg., R.S., Ch. 33, Sec. 8
17 (part).)

18 Sec. 9028.103. WATERSHED PROTECTION AND FLOOD PREVENTION
19 ACT. Subject to Section 9028.154, the district has the power
20 necessary to fully qualify for and gain the full benefits of the
21 Watershed Protection and Flood Prevention Act (16 U.S.C. Section
22 1001 et seq.), including:

23 (1) all powers necessary to carry out the projects,
24 works, and improvements contemplated by the Watershed Protection
25 and Flood Prevention Act;

26 (2) the power to secure a loan or loans from the proper
27 agencies of the federal government for the purpose of defraying the

1 costs and expenses of the district in connection with carrying out
2 its projects, works, and improvements under the Watershed
3 Protection and Flood Prevention Act; and

4 (3) if necessary, the power to issue bonds as
5 collateral for a loan described by Subdivision (2). (Acts 56th
6 Leg., R.S., Ch. 33, Sec. 4 (part); New.)

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8 Sec. 9028.151. TAX METHOD. (a) The district shall use the
9 ad valorem plan of taxation.

10 (b) The board is not required to hold a hearing on the
11 adoption of a plan of taxation. (Acts 56th Leg., R.S., Ch. 33, Sec.
12 6 (part).)

13 Sec. 9028.152. LIMITATION ON TAX RATE. The district may not
14 impose taxes under this subchapter at a rate that exceeds five cents
15 per \$100 valuation. (Acts 56th Leg., R.S., Ch. 33, Sec. 6 (part).)

16 Sec. 9028.153. TAX ASSESSOR-COLLECTOR. The Grayson County
17 tax assessor-collector shall collect taxes for the district and
18 make them available for district purposes. (Acts 56th Leg., R.S.,
19 Ch. 33, Sec. 6 (part).)

20 Sec. 9028.154. ELECTION REQUIRED FOR FEDERAL LOAN. The
21 district may not consummate a loan from the federal government
22 unless the loan is authorized by a majority of the votes cast in a
23 district election. (Acts 56th Leg., R.S., Ch. 33, Sec. 9 (part).)

24 Sec. 9028.155. APPROVAL OF AND FUNDING FOR CERTAIN PLANS
25 FOR WORKS AND IMPROVEMENTS. (a) In this section, "commission"
26 means the Texas Commission on Environmental Quality.

27 (b) This section applies only to plans contemplated by the

1 district for works and improvements, or amendments to the plans,
2 that are prepared by the Natural Resources Conservation Service of
3 the United States Department of Agriculture and approved by the
4 district's board.

5 (c) An engineer's report covering the plans and
6 improvements to be constructed, and the maps, plats, profiles, and
7 data fully showing and explaining the plans and improvements, are
8 not required to be filed in the district office before an election
9 is held to authorize the issuance of bonds for the works and
10 improvements. The plans and specifications, engineering reports,
11 profiles, maps, and other data, and subsequent amendments to those
12 items, are not required to be approved by the commission before the
13 bonds are issued.

14 (d) Before the district may spend any money for the
15 construction of any works and improvements, the commission must
16 approve the portion of the works and improvements to be
17 constructed. The commission's advance approval for the entire
18 project contemplated by the district is not required. The
19 commission may approve on a separate or individual basis the
20 portion of the entire project or works and improvements:

- 21 (1) to be constructed at a particular time; and
22 (2) on which plans and specifications of the Natural
23 Resources Conservation Service have been prepared and submitted by
24 the board to the commission. (Acts 56th Leg., R.S., Ch. 33, Sec.
25 10; New.)

26 SUBCHAPTER E. BONDS

27 Sec. 9028.201. AUTHORITY TO ISSUE BONDS. Subject to

1 Section 9028.202, the district may issue bonds, in the manner
2 provided by general law for water control and improvement
3 districts, to:

4 (1) provide dams, structures, projects, and works of
5 improvement for flood prevention, the conservation and development
6 of water, and for other necessary plants, facilities, and equipment
7 in connection therewith and for the improvement, repair, and
8 operation of same;

9 (2) carry out any other power provided by this chapter
10 or by Chapter 49 or 51, Water Code; and

11 (3) pay all costs, charges, and expenses of the
12 district. (Acts 56th Leg., R.S., Ch. 33, Sec. 8 (part); New.)

13 Sec. 9028.202. BOND ELECTION REQUIRED. The district may
14 not issue bonds unless the bonds are authorized by a majority of the
15 votes cast in a district election. (Acts 56th Leg., R.S., Ch. 33,
16 Sec. 9 (part).)

17 CHAPTER 9045. FALLBROOK UTILITY DISTRICT

18 SUBCHAPTER A. GENERAL PROVISIONS

19 Sec. 9045.001. DEFINITIONS

20 Sec. 9045.002. NATURE OF DISTRICT

21 Sec. 9045.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

22 Sec. 9045.004. DISTRICT TERRITORY

23 Sec. 9045.005. EXPANSION OF DISTRICT

24 Sec. 9045.006. HEARINGS FOR EXCLUSION OF LAND

25 Sec. 9045.007. STATE POLICY REGARDING WASTE DISPOSAL

26 SUBCHAPTER B. DISTRICT ADMINISTRATION

27 Sec. 9045.051. COMPOSITION OF BOARD

- 1 Sec. 9045.052. APPOINTMENT OF TREASURER
- 2 Sec. 9045.053. DIRECTOR AND TREASURER BONDS
- 3 Sec. 9045.054. BOARD VACANCY
- 4 Sec. 9045.055. BOARD PRESIDENT'S POWER TO EXECUTE
- 5 CONTRACTS
- 6 Sec. 9045.056. ABSENCE OR INACTION OF BOARD PRESIDENT
- 7 Sec. 9045.057. DISTRICT OFFICE
- 8 SUBCHAPTER C. POWERS AND DUTIES
- 9 Sec. 9045.101. WATER CONTROL AND IMPROVEMENT DISTRICT
- 10 POWERS
- 11 Sec. 9045.102. ADDITIONAL POWERS
- 12 Sec. 9045.103. LIMIT ON EMINENT DOMAIN
- 13 Sec. 9045.104. COST OF RELOCATING OR ALTERING PROPERTY
- 14 Sec. 9045.105. NOTICE OF ELECTION
- 15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
- 16 Sec. 9045.151. TAX METHOD
- 17 Sec. 9045.152. DISTRICT ACCOUNTS
- 18 Sec. 9045.153. COPY OF AUDIT REPORT
- 19 Sec. 9045.154. PAYMENT OF TAX OR ASSESSMENT NOT
- 20 REQUIRED
- 21 Sec. 9045.155. DEPOSITORY
- 22 SUBCHAPTER E. BONDS
- 23 Sec. 9045.201. ISSUANCE OF BONDS
- 24 Sec. 9045.202. ADDITIONAL SECURITY
- 25 Sec. 9045.203. TRUST INDENTURE
- 26 Sec. 9045.204. ORDER OR RESOLUTION AUTHORIZING
- 27 ISSUANCE OF CERTAIN BONDS

1 Sec. 9045.205. USE OF BOND PROCEEDS

2 CHAPTER 9045. FALLBROOK UTILITY DISTRICT

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 9045.001. DEFINITIONS. In this chapter:

5 (1) "Board" means the district's board of directors.

6 (2) "Director" means a board member.

7 (3) "District" means the Fallbrook Utility District of
8 Harris County, Texas. (Acts 61st Leg., R.S., Ch. 633, Sec. 1
9 (part); New.)

10 Sec. 9045.002. NATURE OF DISTRICT. The district is a
11 conservation and reclamation district in Harris County created
12 under Section 59, Article XVI, Texas Constitution. (Acts 61st
13 Leg., R.S., Ch. 633, Sec. 1 (part).)

14 Sec. 9045.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
15 The district is created to serve a public use and benefit.

16 (b) All land and other property included in the boundaries
17 of the district will benefit from the works and projects
18 accomplished by the district under the powers conferred by Section
19 59, Article XVI, Texas Constitution.

20 (c) The district is essential to accomplish the purposes of
21 Section 59, Article XVI, Texas Constitution.

22 (d) The accomplishment of the purposes stated in this
23 chapter will benefit the people of this state and improve their
24 property and industries.

25 (e) The district in carrying out the purposes of this
26 chapter will be performing an essential public function under the
27 Texas Constitution. (Acts 61st Leg., R.S., Ch. 633, Secs. 1 (part),

1 4, 21 (part).)

2 Sec. 9045.004. DISTRICT TERRITORY. (a) The district is
3 composed of the territory described by Section 2, Chapter 633, Acts
4 of the 61st Legislature, Regular Session, 1969, as that territory
5 may have been modified under:

6 (1) Subchapter O, Chapter 51, Water Code;

7 (2) Subchapter J, Chapter 49, Water Code;

8 (3) Section 9045.005 or its predecessor statute,
9 former Section 9, Chapter 633, Acts of the 61st Legislature,
10 Regular Session, 1969; or

11 (4) other law.

12 (b) The boundaries and field notes of the district form a
13 closure. A mistake in the field notes or in copying the field notes
14 in the legislative process does not affect:

15 (1) the district's organization, existence, or
16 validity;

17 (2) the district's right to issue any type of bond for
18 a purpose for which the district is created or to pay the principal
19 of and interest on the bond;

20 (3) the district's right to impose a tax; or

21 (4) in any other manner, the legality or operation of
22 the district or the board. (Acts 61st Leg., R.S., Ch. 633, Sec. 3;
23 New.)

24 Sec. 9045.005. EXPANSION OF DISTRICT. (a) If land is
25 annexed to the district under Section 49.301 or 51.714, Water Code,
26 the board may require the petitioners to:

27 (1) assume the petitioners' pro rata share of the voted

1 but unissued bonds of the district; and

2 (2) authorize the board to impose a tax on the
3 petitioners' property to pay for the bonds after the bonds have been
4 issued.

5 (b) If land is annexed to the district under Section 49.302,
6 Water Code, the board may submit to the voters of the area to be
7 annexed a proposition on the question of the assumption by the area
8 to be annexed of its part of the voted but not yet issued or sold tax
9 or tax-revenue bonds of the district and the imposition of an ad
10 valorem tax on taxable property in the area to be annexed along with
11 a tax in the rest of the district for the payment of the bonds.

12 (c) If the petitioners consent or if the election results
13 favorably, the district may issue its voted but unissued tax or
14 tax-revenue bonds regardless of changes to district boundaries
15 since the voting or authorization of those bonds. (Acts 61st Leg.,
16 R.S., Ch. 633, Sec. 9 (part).)

17 Sec. 9045.006. HEARINGS FOR EXCLUSION OF LAND. (a) The
18 board is not required to call or hold a hearing on the exclusion of
19 land or other property from the district; provided, however, that
20 the board shall hold a hearing if an owner of land or other property
21 located in the district files a written petition for a hearing with
22 the board secretary before the district's first bond election is
23 called.

24 (b) The board may act on the petition in the same manner that
25 it may act on a petition for the addition of land under Section
26 49.301 or 51.714, Water Code. A notice of hearing is not required.

27 (c) The board on its own motion may call and hold an

1 exclusion hearing under general law. (Acts 61st Leg., R.S., Ch.
2 633, Sec. 7.)

3 Sec. 9045.007. STATE POLICY REGARDING WASTE DISPOSAL. The
4 district's powers and duties are subject to the state policy of
5 encouraging the development and use of integrated area-wide waste
6 collection, treatment, and disposal systems to serve the waste
7 disposal needs of this state's residents, if integrated systems can
8 reasonably be provided for an area, so as to avoid the economic
9 burden on residents and the impact on state water quality caused by
10 the construction and operation of numerous small waste collection,
11 treatment, and disposal facilities. (Acts 61st Leg., R.S., Ch.
12 633, Sec. 5 (part).)

13 SUBCHAPTER B. DISTRICT ADMINISTRATION

14 Sec. 9045.051. COMPOSITION OF BOARD. The board consists of
15 five elected directors. (Acts 61st Leg., R.S., Ch. 633, Sec. 10
16 (part).)

17 Sec. 9045.052. APPOINTMENT OF TREASURER. The board may
18 appoint the treasurer. (Acts 61st Leg., R.S., Ch. 633, Sec. 10
19 (part).)

20 Sec. 9045.053. DIRECTOR AND TREASURER BONDS. (a) Each
21 director shall qualify by giving bond in the amount of \$5,000 for
22 the faithful performance of the director's duties.

23 (b) The directors' bonds shall be recorded in a record kept
24 for that purpose in the district's office.

25 (c) The treasurer shall give bond in the amount required by
26 the board. The treasurer's bond shall be conditioned on the
27 treasurer's faithful accounting for all money that comes into the

1 treasurer's custody as treasurer of the district. (Acts 61st Leg.,
2 R.S., Ch. 633, Sec. 10 (part).)

3 Sec. 9045.054. BOARD VACANCY. (a) Except as provided by
4 Subsection (b), a vacancy in the office of director shall be filled
5 in the manner provided by Section [49.105](#), Water Code.

6 (b) The county judge of Harris County shall appoint
7 directors to fill all of the vacancies on the board if the number of
8 qualified directors is less than three. (Acts 61st Leg., R.S., Ch.
9 633, Sec. 10 (part).)

10 Sec. 9045.055. BOARD PRESIDENT'S POWER TO EXECUTE
11 CONTRACTS. The board president may execute all contracts,
12 including construction contracts, entered into by the board on
13 behalf of the district. (Acts 61st Leg., R.S., Ch. 633, Sec. 10
14 (part).)

15 Sec. 9045.056. ABSENCE OR INACTION OF BOARD PRESIDENT. (a)
16 When the board president is absent or fails or declines to act, the
17 board vice president shall perform all duties and exercise all
18 power that this chapter or general law gives the president.

19 (b) If the board president is absent from a board meeting,
20 the board vice president may sign an order adopted or other action
21 taken at the meeting, or the board may authorize the president to
22 sign the order or other action. (Acts 61st Leg., R.S., Ch. 633,
23 Sec. 10 (part).)

24 Sec. 9045.057. DISTRICT OFFICE. (a) The board shall
25 designate, establish, and maintain a district office as provided by
26 Section [49.062](#), Water Code.

27 (b) The board may establish a second district office outside

1 the district. If the board establishes a district office outside
2 the district, the board shall give notice of the location of that
3 office by:

4 (1) filing a copy of the board resolution that
5 establishes the location of the office:

6 (A) with the Texas Commission on Environmental
7 Quality; and

8 (B) in the water control and improvement district
9 records of Harris County; and

10 (2) publishing the location of the office in a
11 newspaper of general circulation in Harris County.

12 (c) A district office may be a private residence, office, or
13 dwelling. A district office that is a private residence, office, or
14 dwelling is a public place for matters relating to the district's
15 business.

16 (d) The board shall give notice of any change in the
17 location of the district office outside the district in the manner
18 required by Subsection (b). (Acts 61st Leg., R.S., Ch. 633, Sec.
19 15.)

20 SUBCHAPTER C. POWERS AND DUTIES

21 Sec. 9045.101. WATER CONTROL AND IMPROVEMENT DISTRICT
22 POWERS. The district has all of the rights, powers, privileges, and
23 functions provided by general law applicable to water control and
24 improvement districts created under Section 59, Article XVI, Texas
25 Constitution, including Chapters 49 and 51, Water Code. (Acts 61st
26 Leg., R.S., Ch. 633, Sec. 5 (part).)

27 Sec. 9045.102. ADDITIONAL POWERS. (a) The district may:

1 (1) make, purchase, construct, lease, or otherwise
2 acquire property, works, facilities, or improvements, existing or
3 to be made, constructed, or acquired, inside or outside the
4 district's boundaries and necessary to carry out the powers granted
5 by this chapter or general law; or

6 (2) enter into a contract with a person on terms the
7 board considers desirable, fair, and advantageous for:

8 (A) the purchase or sale of water;

9 (B) the transportation, treatment, and disposal
10 of the domestic, industrial, or communal wastes of the district or
11 others;

12 (C) the continuing and orderly development of
13 land and property in the district through the purchase,
14 construction, or installation of facilities, works, or
15 improvements that the district is otherwise authorized to do or
16 perform so that, to the greatest extent reasonably possible,
17 considering sound engineering and economic practices, all of the
18 land and property may ultimately receive the services of the
19 facilities, works, or improvements; and

20 (D) the performance of any of the rights or
21 powers granted by this chapter or general law relating to water
22 control and improvement districts.

23 (b) A contract under Subsection (a)(2) may not have a
24 duration of more than 40 years. (Acts 61st Leg., R.S., Ch. 633,
25 Sec. 5 (part).)

26 Sec. 9045.103. LIMIT ON EMINENT DOMAIN. The district may
27 exercise the power of eminent domain only:

1 (1) in Harris County; and

2 (2) when necessary to carry out the purposes for which
3 the district was created. (Acts 61st Leg., R.S., Ch. 633, Sec. 13
4 (part).)

5 Sec. 9045.104. COST OF RELOCATING OR ALTERING PROPERTY.

6 (a) In this section, "sole expense" means the actual cost of
7 relocating, raising, lowering, rerouting, changing the grade of, or
8 altering the construction of a facility described by Subsection (b)
9 in providing comparable replacement without enhancement of the
10 facility, after deducting from that cost the net salvage value
11 derived from the old facility.

12 (b) If the district's exercise of the power of eminent
13 domain makes necessary relocating, raising, lowering, rerouting,
14 changing the grade of, or altering the construction of a highway,
15 railroad, electric transmission line, telegraph or telephone
16 property or facility, or pipeline, the necessary action shall be
17 accomplished at the sole expense of the district. (Acts 61st Leg.,
18 R.S., Ch. 633, Sec. 13 (part).)

19 Sec. 9045.105. NOTICE OF ELECTION. Notice of an election
20 may be given under the hand of the board president or secretary.
21 (Acts 61st Leg., R.S., Ch. 633, Sec. 18 (part).)

22 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

23 Sec. 9045.151. TAX METHOD. (a) The district shall use the
24 ad valorem plan of taxation.

25 (b) The board is not required to call or hold a hearing on
26 the adoption of a plan of taxation. (Acts 61st Leg., R.S., Ch. 633,
27 Sec. 8.)

1 issue tax bonds, revenue bonds, or tax and revenue bonds to provide
2 money for any purpose of this chapter, including the acquisition of
3 land.

4 (b) The district must issue bonds in the manner provided by
5 Chapters 49 and 51, Water Code, except that the district may issue
6 bonds payable solely from net revenue by resolution or order of the
7 board without an election.

8 (c) Bonds issued under this subchapter may be payable from
9 all or any designated part of the revenue of district property and
10 facilities or under a specific contract, as provided in the order or
11 resolution authorizing the issuance of the bonds. (Acts 61st Leg.,
12 R.S., Ch. 633, Sec. 12 (part).)

13 Sec. 9045.202. ADDITIONAL SECURITY. (a) Within the
14 discretion of the board, bonds issued under this subchapter may be
15 additionally secured by a deed of trust or mortgage lien on physical
16 property of the district and franchises, easements, water rights
17 and appropriation permits, leases, contracts, and all rights
18 appurtenant to that property, vesting in the trustee:

19 (1) the power to sell the property for payment of the
20 debt;

21 (2) the power to operate the property; and

22 (3) all other powers to further secure the bonds.

23 (b) A purchaser under a sale under the deed of trust or
24 mortgage lien, if one is given:

25 (1) is the absolute owner of the property, facilities,
26 and rights purchased; and

27 (2) may maintain and operate the property and

1 facilities. (Acts 61st Leg., R.S., Ch. 633, Sec. 12 (part).)

2 Sec. 9045.203. TRUST INDENTURE. A trust indenture created
3 under Section 9045.202, regardless of the existence of a deed of
4 trust or mortgage lien on the property, may:

5 (1) contain provisions prescribed by the board for the
6 security of the bonds and the preservation of the trust estate;

7 (2) provide for amendment or modification of the trust
8 indenture;

9 (3) provide for the issuance of bonds to replace lost
10 or mutilated bonds;

11 (4) condition the right to spend district money or
12 sell district property on the approval of a licensed engineer
13 selected as provided by the trust indenture; and

14 (5) provide for the investment of district money.

15 (Acts 61st Leg., R.S., Ch. 633, Sec. 12 (part).)

16 Sec. 9045.204. ORDER OR RESOLUTION AUTHORIZING ISSUANCE OF
17 CERTAIN BONDS. (a) In an order or resolution authorizing the
18 issuance of revenue, tax-revenue, revenue refunding, or
19 tax-revenue refunding bonds, the board may:

20 (1) provide for:

21 (A) the flow of money; and

22 (B) the establishment and maintenance of the
23 interest and sinking fund, reserve fund, or other fund;

24 (2) make additional covenants with respect to the
25 bonds and the pledged revenue and the operation and maintenance of
26 the improvements and facilities the revenue of which is pledged,
27 including provisions for the operation or leasing of all or part of

1 the improvements and facilities and the use or pledge of money
2 received from the operation contract or lease as the board
3 considers appropriate;

4 (3) prohibit the further issuance of bonds or other
5 obligations payable from the pledged revenue or reserve the right
6 to issue additional bonds to be secured by a pledge of and payable
7 from the revenue on a parity with, or subordinate to, the lien and
8 pledge in support of the bonds being issued, subject to any
9 conditions set forth in the order or resolution; and

10 (4) include any other provision or covenant, as the
11 board determines, that is not prohibited by the Texas Constitution
12 or this chapter.

13 (b) The board may adopt and cause to be executed any other
14 proceeding or instrument necessary or convenient in the issuance of
15 the bonds. (Acts 61st Leg., R.S., Ch. 633, Sec. 12 (part).)

16 Sec. 9045.205. USE OF BOND PROCEEDS. (a) The district may
17 appropriate or set aside out of proceeds from the sale of district
18 bonds an amount for:

19 (1) the payment of interest, administrative, and
20 operating expenses expected to accrue during the period of
21 construction, as may be provided in the bond orders or resolutions;
22 and

23 (2) the payment of all expenses incurred and to be
24 incurred in the issuance, sale, and delivery of the bonds.

25 (b) For purposes of this section, the period of construction
26 may not exceed three years. (Acts 61st Leg., R.S., Ch. 633, Sec. 12
27 (part).)

1 CHAPTER 9049. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT

2 DISTRICT-FONDREN ROAD

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 9049.001. DEFINITIONS

5 Sec. 9049.002. NATURE OF DISTRICT

6 Sec. 9049.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

7 Sec. 9049.004. DISTRICT TERRITORY

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 9049.051. BOARD OF DIRECTORS

10 Sec. 9049.052. APPOINTMENT OF SECRETARY AND TREASURER

11 Sec. 9049.053. DIRECTOR'S AND TREASURER'S BONDS

12 Sec. 9049.054. VOTE BY BOARD PRESIDENT

13 Sec. 9049.055. ABSENCE OR INACTION OF BOARD PRESIDENT

14 SUBCHAPTER C. POWERS AND DUTIES

15 Sec. 9049.101. WATER CONTROL AND IMPROVEMENT DISTRICT

16 POWERS

17 Sec. 9049.102. LIMIT ON EMINENT DOMAIN POWER

18 Sec. 9049.103. COST OF RELOCATING OR ALTERING PROPERTY

19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20 Sec. 9049.151. TAX METHOD

21 CHAPTER 9049. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT

22 DISTRICT-FONDREN ROAD

23 SUBCHAPTER A. GENERAL PROVISIONS

24 Sec. 9049.001. DEFINITIONS. In this chapter:

25 (1) "Board" means the district's board of directors.

26 (2) "Director" means a board member.

27 (3) "District" means the Harris County Water Control

1 and Improvement District-Fondren Road. (Acts 58th Leg., R.S., Ch.
2 246, Sec. 1 (part); New.)

3 Sec. 9049.002. NATURE OF DISTRICT. The district is a
4 conservation and reclamation district in Harris County created
5 under Section 59, Article XVI, Texas Constitution. (Acts 58th
6 Leg., R.S., Ch. 246, Sec. 1 (part).)

7 Sec. 9049.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
8 The district is created to serve a public use and benefit.

9 (b) All land and other property included in the boundaries
10 of the district will benefit from the works and projects
11 accomplished by the district under the powers conferred by Section
12 59, Article XVI, Texas Constitution.

13 (c) The district is essential to accomplish the purposes of
14 Section 59, Article XVI, Texas Constitution. (Acts 58th Leg., R.S.,
15 Ch. 246, Secs. 1 (part), 3; Acts 60th Leg., R.S., Ch. 611, Sec. 5.)

16 Sec. 9049.004. DISTRICT TERRITORY. (a) The district is
17 composed of the territory described by Section 2, Chapter 246, Acts
18 of the 58th Legislature, Regular Session, 1963, as amended by
19 Sections 1 and 3, Chapter 611, Acts of the 60th Legislature, Regular
20 Session, 1967, as that territory may have been modified under:

- 21 (1) Subchapter O, Chapter 51, Water Code;
22 (2) Subchapter J, Chapter 49, Water Code; or
23 (3) other law.

24 (b) The boundaries and field notes of the district form a
25 closure. A mistake in the field notes or in copying the field notes
26 in the legislative process does not affect:

- 27 (1) the district's organization, existence, or

1 validity;

2 (2) the district's right to issue bonds or to pay the
3 principal of and interest on the bonds;

4 (3) the district's right to impose a tax; or

5 (4) the legality or operation of the district or the
6 board. (Acts 58th Leg., R.S., Ch. 246, Sec. 4; Acts 60th Leg.,
7 R.S., Ch. 611, Secs. 2, 4; New.)

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 9049.051. BOARD OF DIRECTORS. (a) The board consists
10 of five elected directors.

11 (b) To be appointed as a director a person must reside in
12 this state, but such director is not required to reside in the
13 district. (Acts 58th Leg., R.S., Ch. 246, Sec. 7 (part).)

14 Sec. 9049.052. APPOINTMENT OF SECRETARY AND TREASURER. The
15 board shall appoint a secretary and a treasurer, who are not
16 required to be directors. The board may combine the offices of
17 secretary and treasurer. (Acts 58th Leg., R.S., Ch. 246, Sec. 7
18 (part).)

19 Sec. 9049.053. DIRECTOR'S AND TREASURER'S BONDS. (a) Each
20 director shall give bond in the amount of \$5,000 conditioned on the
21 faithful performance of the director's duties.

22 (b) The treasurer shall give bond in the amount required by
23 the board. The treasurer's bond shall be conditioned on the
24 treasurer's faithful accounting for all money that comes into the
25 treasurer's custody as treasurer of the district. (Acts 58th Leg.,
26 R.S., Ch. 246, Sec. 7 (part).)

27 Sec. 9049.054. VOTE BY BOARD PRESIDENT. The board

1 president has the same right to vote as any other director. (Acts
2 58th Leg., R.S., Ch. 246, Sec. 7 (part).)

3 Sec. 9049.055. ABSENCE OR INACTION OF BOARD PRESIDENT.
4 When the board president is absent or fails or declines to act, the
5 board vice president shall perform all duties and exercise all
6 power this chapter gives the president. (Acts 58th Leg., R.S., Ch.
7 246, Sec. 7 (part).)

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 9049.101. WATER CONTROL AND IMPROVEMENT DISTRICT
10 POWERS. The district has the rights, powers, privileges, and
11 duties provided by general law applicable to a water control and
12 improvement district created under Section 59, Article XVI, Texas
13 Constitution, including Chapters 49 and 51, Water Code. (Acts 58th
14 Leg., R.S., Ch. 246, Sec. 5 (part); New.)

15 Sec. 9049.102. LIMIT ON EMINENT DOMAIN POWER. The district
16 may exercise the power of eminent domain only in Harris County.
17 (Acts 58th Leg., R.S., Ch. 246, Sec. 9 (part).)

18 Sec. 9049.103. COST OF RELOCATING OR ALTERING PROPERTY. If
19 the district's exercise of the power of eminent domain, the power of
20 relocation, or any other power granted by this chapter makes
21 necessary relocating, raising, rerouting, changing the grade of, or
22 altering the construction of a highway, railroad, electric
23 transmission line, telephone or telegraph property or facility, or
24 pipeline, the necessary action shall be accomplished at the sole
25 expense of the district. (Acts 58th Leg., R.S., Ch. 246, Sec. 9
26 (part).)

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 9049.151. TAX METHOD. (a) The district shall use the
3 ad valorem plan of taxation.

4 (b) The board is not required to hold a hearing on the
5 adoption of a plan of taxation. (Acts 58th Leg., R.S., Ch. 246,
6 Sec. 5 (part).)

7 CHAPTER 9050. INVERNESS FOREST IMPROVEMENT DISTRICT

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 9050.001. DEFINITIONS

10 Sec. 9050.002. NATURE OF DISTRICT

11 Sec. 9050.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

12 Sec. 9050.004. DISTRICT TERRITORY

13 Sec. 9050.005. EXPANSION OF DISTRICT

14 Sec. 9050.006. HEARINGS FOR EXCLUSION OF LAND

15 SUBCHAPTER B. DISTRICT ADMINISTRATION

16 Sec. 9050.051. BOARD OF DIRECTORS

17 Sec. 9050.052. DIRECTOR'S BOND

18 Sec. 9050.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY
19 FROM BOARD MEETING

20 Sec. 9050.054. VOTE BY BOARD PRESIDENT

21 Sec. 9050.055. ABSENCE OR INACTION OF BOARD PRESIDENT

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 9050.101. WATER CONTROL AND IMPROVEMENT DISTRICT
24 POWERS

25 Sec. 9050.102. ADDITIONAL POWERS

26 Sec. 9050.103. LIMIT ON EMINENT DOMAIN POWER

27 Sec. 9050.104. COST OF RELOCATING OR ALTERING PROPERTY

1 Sec. 9050.105. NOTICE OF ELECTION

2 Sec. 9050.106. EFFECT OF ANNEXATION BY MUNICIPALITY

3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4 Sec. 9050.151. TAX METHOD

5 Sec. 9050.152. DEPOSITORY

6 Sec. 9050.153. PAYMENT OF TAX OR ASSESSMENT NOT

7 REQUIRED

8 SUBCHAPTER E. BONDS

9 Sec. 9050.201. AUTHORITY TO ISSUE BONDS

10 Sec. 9050.202. FAILED BOND ELECTION

11 Sec. 9050.203. BONDS EXEMPT FROM TAXATION

12 CHAPTER 9050. INVERNESS FOREST IMPROVEMENT DISTRICT

13 SUBCHAPTER A. GENERAL PROVISIONS

14 Sec. 9050.001. DEFINITIONS. In this chapter:

15 (1) "Board" means the district's board of directors.

16 (2) "Director" means a board member.

17 (3) "District" means the Inverness Forest Improvement
18 District. (Acts 59th Leg., R.S., Ch. 605, Sec. 1 (part); New.)

19 Sec. 9050.002. NATURE OF DISTRICT. The district is a
20 conservation and reclamation district in Harris County created
21 under Section 59, Article XVI, Texas Constitution. (Acts 59th
22 Leg., R.S., Ch. 605, Sec. 1 (part).)

23 Sec. 9050.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
24 The district is created to serve a public use and benefit.

25 (b) All land and other property included in the boundaries
26 of the district will benefit from the works and projects
27 accomplished by the district under the powers conferred by Section

1 59, Article XVI, Texas Constitution.

2 (c) The district is essential to accomplish the purposes of
3 Section 59, Article XVI, Texas Constitution.

4 (d) The accomplishment of the purposes stated in this
5 chapter will benefit the people of this state and improve their
6 property and industries.

7 (e) The district in carrying out the purposes of this
8 chapter will be performing an essential public function under the
9 Texas Constitution. (Acts 59th Leg., R.S., Ch. 605, Secs. 1 (part),
10 4, 22 (part).)

11 Sec. 9050.004. DISTRICT TERRITORY. (a) The district is
12 composed of the territory described by Section 2, Chapter 605, Acts
13 of the 59th Legislature, Regular Session, 1965, as that territory
14 may have been modified under:

- 15 (1) Subchapter O, Chapter 51, Water Code;
16 (2) Subchapter J, Chapter 49, Water Code;
17 (3) Section 9050.005 of this chapter or its
18 predecessor statute, former Section 16, Chapter 605, Acts of the
19 59th Legislature, Regular Session, 1965; or
20 (4) other law.

21 (b) The boundaries and field notes of the district form a
22 closure. A mistake in the field notes or in copying the field notes
23 in the legislative process does not affect:

- 24 (1) the district's organization, existence, or
25 validity;
26 (2) the district's right to issue any type or kind of
27 bond for a purpose for which the district is created or to pay the

1 principal of and interest on the bond;

2 (3) the district's right to impose a tax; or

3 (4) the legality or operation of the district or the
4 board. (Acts 59th Leg., R.S., Ch. 605, Sec. 3; New.)

5 Sec. 9050.005. EXPANSION OF DISTRICT. (a) Except as
6 otherwise provided by this section, the district may annex
7 territory as provided by Section 49.302, Water Code.

8 (b) Territory may not be annexed to the district without the
9 written consent of at least a three-fourths majority of all
10 landowners in the territory to be annexed whose land must also
11 constitute at least three-fourths of the value of all land in the
12 territory to be annexed, as shown by the tax rolls of the county in
13 which the territory to be annexed is located.

14 (c) A person who owns land or an interest in land affected by
15 the annexation may, on or before the 30th day after the date of the
16 canvassing order of the election for the annexation, file in the
17 district court in the county in which the district is located a
18 petition to review, set aside, modify, or suspend the annexation.
19 After the period for filing the suit has expired, the annexation is:

20 (1) conclusive for all purposes; and

21 (2) not subject to judicial review. (Acts 59th Leg.,
22 R.S., Ch. 605, Sec. 16 (part).)

23 Sec. 9050.006. HEARINGS FOR EXCLUSION OF LAND. (a) The
24 board is not required to call or hold a hearing on the exclusion of
25 land or other property from the district; provided, however, that
26 the board shall hold a hearing if an owner of land or other property
27 located in the district files a written request for a hearing with

1 the board secretary before the district's first bond election is
2 called.

3 (b) This section may not be construed to prevent the board
4 on its own motion from calling and holding an exclusion hearing
5 under general law. (Acts 59th Leg., R.S., Ch. 605, Sec. 7.)

6 SUBCHAPTER B. DISTRICT ADMINISTRATION

7 Sec. 9050.051. BOARD OF DIRECTORS. (a) The board consists
8 of five elected directors.

9 (b) To be appointed as a director, a person must:

- 10 (1) be at least 18 years of age; and
11 (2) reside in this state.

12 (c) Such director is not required to reside in the district.

13 (d) Such director is not required to own land in the
14 district, but before the district awards any construction
15 contracts, each director must own land in the district subject to
16 district taxation. (Acts 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

17 Sec. 9050.052. DIRECTOR'S BOND. Each director shall give a
18 bond in the amount of \$5,000 for the faithful performance of the
19 director's duties. (Acts 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

20 Sec. 9050.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY FROM
21 BOARD MEETING. (a) The board secretary shall sign the minutes of
22 each board meeting.

23 (b) If the board secretary is absent from a board meeting,
24 the board shall name a secretary pro tem for the meeting who may:

- 25 (1) exercise all powers and duties of the secretary
26 for the meeting;
27 (2) sign the minutes of the meeting; and

1 (3) attest all orders passed or other action taken at
2 the meeting. (Acts 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

3 Sec. 9050.054. VOTE BY BOARD PRESIDENT. The board
4 president has the same right to vote as any other director. (Acts
5 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

6 Sec. 9050.055. ABSENCE OR INACTION OF BOARD PRESIDENT.
7 When the board president is absent or fails or declines to act, the
8 board vice president shall perform all duties and exercise all
9 power this chapter or general law gives the president. (Acts 59th
10 Leg., R.S., Ch. 605, Sec. 9 (part).)

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 9050.101. WATER CONTROL AND IMPROVEMENT DISTRICT
13 POWERS. The district has the rights, powers, privileges, and
14 duties provided by general law applicable to a water control and
15 improvement district created under Section 59, Article XVI, Texas
16 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th
17 Leg., R.S., Ch. 605, Sec. 5 (part); New.)

18 Sec. 9050.102. ADDITIONAL POWERS. (a) The district may:

19 (1) purchase, construct, or otherwise acquire a
20 waterworks system, sanitary sewer system, storm sewer system, or
21 drainage facility or any part of those systems or facilities;

22 (2) make any purchase, construction, improvement,
23 extension, addition, or repair necessary to a system or facility
24 described by Subdivision (1);

25 (3) purchase or otherwise acquire, operate, and
26 maintain any land, right-of-way, easement, site, equipment,
27 building, plant, structure, or facility necessary for a system or

1 facility described by Subdivision (1); and

2 (4) sell water and other services.

3 (b) The district may exercise any of the rights or powers
4 granted by this chapter inside or outside the district's
5 boundaries, but only in Harris County. (Acts 59th Leg., R.S., Ch.
6 605, Sec. 17 (part).)

7 Sec. 9050.103. LIMIT ON EMINENT DOMAIN POWER. The district
8 may exercise the power of eminent domain only in Harris County.
9 (Acts 59th Leg., R.S., Ch. 605, Sec. 12 (part).)

10 Sec. 9050.104. COST OF RELOCATING OR ALTERING PROPERTY.

11 (a) In this section, "sole expense" means the actual cost of
12 relocating, raising, lowering, rerouting, changing the grade of, or
13 altering the construction of a facility described by Subsection (b)
14 in providing comparable replacement without enhancement of the
15 facility, after deducting from that cost the net salvage value
16 derived from the old facility.

17 (b) If the district's exercise of the power of eminent
18 domain, the power of relocation, or any other power granted by this
19 chapter makes necessary relocating, raising, rerouting, changing
20 the grade of, or altering the construction of a highway, railroad,
21 electric transmission line, telegraph or telephone property or
22 facility, or pipeline, the necessary action shall be accomplished
23 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.
24 605, Sec. 12 (part).)

25 Sec. 9050.105. NOTICE OF ELECTION. Notice of an election
26 may be given under the hand of the board president or secretary.
27 (Acts 59th Leg., R.S., Ch. 605, Sec. 20.)

1 Sec. 9050.106. EFFECT OF ANNEXATION BY MUNICIPALITY. (a)
2 Notwithstanding Section 43.075(d)(3), Local Government Code, if a
3 municipality annexes all of the territory in the district, the
4 municipality is not required to assume the duties of the district to
5 provide flood control services or to operate or maintain the
6 levees, retainage ponds, pumps, mitigation channel, or other flood
7 control facilities, improvements, or properties that the district
8 operates and maintains or is required to operate and maintain.

9 (b) The municipality may elect to assume none, part, or all
10 of the duties described by Subsection (a). The municipality shall
11 state in the ordinance annexing the territory which duties, if any,
12 the municipality elects to assume.

13 (c) If the municipality elects to assume none or part of the
14 duties described by Subsection (a), the district is not abolished
15 and continues to exist for the exclusive purpose of performing the
16 duties the municipality does not assume. The district is not
17 required to transfer to the municipality money received from
18 maintenance taxes before the date of annexation and may continue to
19 impose a maintenance tax as necessary to perform the duties the
20 municipality does not assume. The district may retain other
21 property and assets, including money from the district's operation
22 and maintenance account, as the district considers necessary to
23 perform those duties.

24 (d) At any time after annexation the municipality by
25 ordinance may assume the remaining duties and assets retained by
26 the district and the district's debts, liabilities, and
27 obligations. The municipality shall provide the board written

1 notice of the assumption at least 120 days before the date the
2 assumption takes effect. The district is abolished on the date the
3 assumption takes effect. (Acts 59th Leg., R.S., Ch. 605, Sec. 17B.)

4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

5 Sec. 9050.151. TAX METHOD. (a) The district shall use the
6 ad valorem plan of taxation.

7 (b) The board is not required to call or hold a hearing on
8 the adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 605,
9 Sec. 8.)

10 Sec. 9050.152. DEPOSITORY. (a) The board shall select one
11 or more banks or trust companies in this state to act as a
12 depository of bond proceeds or of revenue derived from the
13 operation of district facilities.

14 (b) The depository shall, as determined by the board:

- 15 (1) furnish indemnity bonds;
- 16 (2) pledge securities; or
- 17 (3) meet any other requirements. (Acts 59th Leg.,
18 R.S., Ch. 605, Sec. 15.)

19 Sec. 9050.153. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.
20 The district is not required to pay a tax or assessment on:

- 21 (1) a district project or any part of the project; or
- 22 (2) a district purchase. (Acts 59th Leg., R.S., Ch.
23 605, Sec. 22 (part).)

24 SUBCHAPTER E. BONDS

25 Sec. 9050.201. AUTHORITY TO ISSUE BONDS. The district may:
26 (1) issue bonds of any kind to carry out any purpose
27 authorized by this chapter; and

1 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATION

2 Sec. 9051.051. DISTRICT TERRITORY

3 Sec. 9051.052. ANNEXATION OF DISTRICT TERRITORY BY
4 MUNICIPALITY

5 SUBCHAPTER C. DISTRICT ADMINISTRATION

6 Sec. 9051.101. COMPOSITION OF BOARD; TERMS

7 Sec. 9051.102. QUALIFICATIONS FOR OFFICE

8 Sec. 9051.103. DIRECTOR'S BOND

9 Sec. 9051.104. QUORUM

10 Sec. 9051.105. OFFICERS

11 Sec. 9051.106. EMPLOYEES

12 Sec. 9051.107. EXPENDITURES

13 Sec. 9051.108. COMPENSATION OF DIRECTORS

14 Sec. 9051.109. BUDGET

15 SUBCHAPTER D. POWERS AND DUTIES

16 Sec. 9051.151. GENERAL POWERS

17 Sec. 9051.152. DISTRICT PROPERTY

18 Sec. 9051.153. COST OF RELOCATING OR ALTERING PROPERTY

19 Sec. 9051.154. POWERS RELATING TO WATERWORKS OR
20 SANITARY SEWER SYSTEM

21 Sec. 9051.155. CHARGES, FEES, AND TOLLS; PENALTY FOR
22 FAILURE TO PAY

23 Sec. 9051.156. SURVEYS AND INVESTIGATIONS

24 Sec. 9051.157. LIMITATION ON DISTRICT POWERS RELATING
25 TO GROUNDWATER

26 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

27 Sec. 9051.201. TAX METHOD

1 Sec. 9051.202. AUTHORITY TO IMPOSE TAX; TAX ELECTION

2 Sec. 9051.203. TAX ASSESSOR AND COLLECTOR

3 Sec. 9051.204. TAX RATE

4 SUBCHAPTER F. BONDS

5 Sec. 9051.251. DEFINITION

6 Sec. 9051.252. ISSUANCE OF BONDS

7 Sec. 9051.253. FORM OF BONDS

8 Sec. 9051.254. ELECTION FOR BONDS PAYABLE FROM AD

9 VALOREM TAXES

10 Sec. 9051.255. BONDS PAYABLE FROM AD VALOREM TAXES;

11 TAX RATE

12 Sec. 9051.256. ELECTION NOT REQUIRED FOR CERTAIN BONDS

13 Sec. 9051.257. BONDS SECURED BY REVENUE; ADDITIONAL

14 BONDS

15 Sec. 9051.258. CHARGES FOR DISTRICT SERVICES

16 Sec. 9051.259. REFUNDING BONDS

17 Sec. 9051.260. BONDS EXEMPT FROM TAXATION

18 CHAPTER 9051. JEFFERSON COUNTY WATER CONTROL AND IMPROVEMENT

19 DISTRICT NO. 10

20 SUBCHAPTER A. GENERAL PROVISIONS

21 Sec. 9051.001. DEFINITIONS. In this chapter:

22 (1) "Board" means the district's board of directors.

23 (2) "Director" means a board member.

24 (3) "District" means the Jefferson County Water
25 Control and Improvement District No. 10. (Acts 54th Leg., R.S., Ch.
26 245, Sec. 1 (part); New.)

27 Sec. 9051.002. NATURE OF DISTRICT. The district is a

1 conservation and reclamation district in Jefferson County created
2 under Section 59, Article XVI, Texas Constitution, for the purposes
3 of:

4 (1) controlling, conserving, protecting, preserving,
5 distributing, and using surface water;

6 (2) producing, distributing, and using groundwater;
7 and

8 (3) regulating, controlling, and disposing of
9 sewerage, waste, and other refuse to prevent the contamination of
10 the public waters. (Acts 54th Leg., R.S., Ch. 245, Secs. 1 (part),
11 2 (part), 3 (part).)

12 Sec. 9051.003. LEGISLATIVE FINDING. The legislature finds
13 that the district is essential to the accomplishment of the
14 purposes of Section 59, Article XVI, Texas Constitution. (Acts 54th
15 Leg., R.S., Ch. 245, Sec. 11 (part).)

16 Sec. 9051.004. LIBERAL CONSTRUCTION OF CHAPTER. This
17 chapter shall be liberally construed to effect its purposes. (Acts
18 54th Leg., R.S., Ch. 245, Sec. 11 (part).)

19 Sec. 9051.005. CORRECTION OF INVALID PROCEDURES. If a
20 court holds that any procedure under this chapter violates the
21 constitution of this state or of the United States, the district by
22 resolution may provide an alternative procedure that conforms with
23 the constitution. (Acts 54th Leg., R.S., Ch. 245, Sec. 12 (part).)

24 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATION

25 Sec. 9051.051. DISTRICT TERRITORY. The district is
26 composed of the territory described by Section 3, Chapter 245, Acts
27 of the 54th Legislature, Regular Session, 1955, as that territory

1 may have been modified under:

- 2 (1) Subchapter O, Chapter 51, Water Code;
- 3 (2) Subchapter J, Chapter 49, Water Code; or
- 4 (3) other law. (New.)

5 Sec. 9051.052. ANNEXATION OF DISTRICT TERRITORY BY
6 MUNICIPALITY. Territory contained in the district may not be
7 annexed, either wholly or partly, by a municipality unless the
8 annexation is approved by a majority of the voters voting in a
9 single election held jointly in the municipality and the district
10 for that purpose. (Acts 54th Leg., R.S., Ch. 245, Sec. 3A.)

11 SUBCHAPTER C. DISTRICT ADMINISTRATION

12 Sec. 9051.101. COMPOSITION OF BOARD; TERMS. The board
13 consists of five elected directors who serve staggered four-year
14 terms that begin on May 16 following their election. (Acts 54th
15 Leg., R.S., Ch. 245, Sec. 4 (part).)

16 Sec. 9051.102. QUALIFICATIONS FOR OFFICE. A director must:
17 (1) be a resident, qualified voter; and
18 (2) own taxable property in the district. (Acts 54th
19 Leg., R.S., Ch. 245, Sec. 4 (part).)

20 Sec. 9051.103. DIRECTOR'S BOND. (a) Each director must
21 qualify by giving bond in the amount of \$5,000 for the faithful
22 performance of the director's duties.

23 (b) The bond must be recorded in the official bond records
24 of the county. (Acts 54th Leg., R.S., Ch. 245, Sec. 4 (part).)

25 Sec. 9051.104. QUORUM. Any three members of the board
26 constitute a quorum. (Acts 54th Leg., R.S., Ch. 245, Sec. 4
27 (part).)

1 Sec. 9051.105. OFFICERS. The board shall elect from among
2 its members a president, a vice president, and a
3 secretary-treasurer. (Acts 54th Leg., R.S., Ch. 245, Sec. 4
4 (part).)

5 Sec. 9051.106. EMPLOYEES. The board may employ engineers,
6 attorneys, and other technical or nontechnical employees or
7 assistants and set and provide the amount and manner of their
8 compensation. (Acts 54th Leg., R.S., Ch. 245, Sec. 4 (part).)

9 Sec. 9051.107. EXPENDITURES. The board may provide for the
10 payment of expenditures considered essential to the proper
11 maintenance and administration of the district. (Acts 54th Leg.,
12 R.S., Ch. 245, Sec. 4 (part).)

13 Sec. 9051.108. COMPENSATION OF DIRECTORS. (a) A director
14 shall receive a fee of \$3 per day for attending each board meeting,
15 except that not more than \$6 per day may be paid to a director for
16 meetings held in any one calendar month.

17 (b) In all areas of conflict with Subsection (a) of this
18 section, Section 49.060, Water Code, takes precedence.

19 (c) A director's compensation may be increased as
20 authorized by Section 49.060, Water Code, by resolution adopted by
21 the board in accordance with Subsection (e) of that section on or
22 after September 1, 1995. (Acts 54th Leg., R.S., Ch. 245, Sec. 4
23 (part); New.)

24 Sec. 9051.109. BUDGET. (a) Before the adoption of the
25 district's annual tax rate, the president of the board must
26 prepare, or have prepared, and the board must approve a budget to
27 cover all proposed expenditures of the district for the succeeding

1 tax year.

2 (b) The budget must:

3 (1) be itemized to make as clear as practicable a
4 comparison between the expenditures included in the proposed budget
5 and the actual expenditures for the same or similar purposes for the
6 preceding tax year;

7 (2) show as definitely as possible each project for
8 which appropriations are included in the budget and the estimated
9 amount of money included in the budget for each project; and

10 (3) contain a complete financial statement of the
11 district showing:

12 (A) all outstanding obligations;

13 (B) the cash on hand to the credit of each fund;

14 (C) the money received from all sources during
15 the preceding year;

16 (D) the money available from all sources during
17 the succeeding year;

18 (E) the estimated revenue available to cover the
19 proposed budget; and

20 (F) the estimated tax rate required for the
21 succeeding tax year. (Acts 54th Leg., R.S., Ch. 245, Sec. 6 (part).)

22 SUBCHAPTER D. POWERS AND DUTIES

23 Sec. 9051.151. GENERAL POWERS. (a) Except as otherwise
24 provided by this chapter, the district has all the powers and duties
25 granted to water control and improvement districts by Chapters 49
26 and 51, Water Code, and all other laws applicable to water control
27 and improvement districts.

1 (b) The district may formulate and execute any plan
2 considered essential to the accomplishment of the purposes for
3 which it is created. (Acts 54th Leg., R.S., Ch. 245, Sec. 2 (part).)

4 Sec. 9051.152. DISTRICT PROPERTY. (a) The district may
5 acquire, maintain, use, and operate property of any kind or any
6 interest in property necessary to the exercise of the powers,
7 rights, privileges, and functions of the district under this
8 chapter.

9 (b) The district may acquire property or an interest in
10 property as provided by Subsection (a) by purchase, construction,
11 lease, gift, or any other manner. (Acts 54th Leg., R.S., Ch. 245,
12 Sec. 8.)

13 Sec. 9051.153. COST OF RELOCATING OR ALTERING PROPERTY. If
14 the district's exercise of the power of eminent domain, the power of
15 relocation, or any other power granted by this chapter makes
16 necessary relocating, raising, rerouting, changing the grade of, or
17 altering the construction of a highway, railroad, electric
18 transmission line, telegraph or telephone property or facility, or
19 pipeline, the necessary action shall be accomplished at the sole
20 expense of the district. (Acts 54th Leg., R.S., Ch. 245, Sec. 8A.)

21 Sec. 9051.154. POWERS RELATING TO WATERWORKS OR SANITARY
22 SEWER SYSTEM. The district may purchase, construct, or otherwise
23 acquire a waterworks or sanitary sewer system and may:

- 24 (1) own and operate the system; and
25 (2) construct an addition, extension, or improvement
26 to the system. (Acts 54th Leg., R.S., Ch. 245, Sec. 2 (part).)

27 Sec. 9051.155. CHARGES, FEES, AND TOLLS; PENALTY FOR

1 FAILURE TO PAY. The district may set and collect charges, fees, or
2 tolls for the services of its water and sanitary systems and
3 facilities and impose penalties for the failure to pay when due
4 those charges, fees, or tolls. (Acts 54th Leg., R.S., Ch. 245, Sec.
5 7.)

6 Sec. 9051.156. SURVEYS AND INVESTIGATIONS. The board may
7 conduct or arrange for a survey or an engineering investigation to
8 provide information for the district to facilitate the
9 accomplishment of a district purpose. (Acts 54th Leg., R.S., Ch.
10 245, Sec. 4 (part).)

11 Sec. 9051.157. LIMITATION ON DISTRICT POWERS RELATING TO
12 GROUNDWATER. The district may not adopt or enforce a rule relating
13 to or require a permit for the production or use of groundwater by
14 others. (Acts 54th Leg., R.S., Ch. 245, Sec. 2 (part).)

15 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

16 Sec. 9051.201. TAX METHOD. The district shall use the ad
17 valorem plan of taxation. (Acts 54th Leg., R.S., Ch. 245, Sec. 2
18 (part).)

19 Sec. 9051.202. AUTHORITY TO IMPOSE TAX; TAX ELECTION. (a)
20 If a tax is authorized at an election under Section [49.107](#), Water
21 Code, the district may impose a tax to provide money:

22 (1) necessary to construct or acquire, maintain, and
23 operate improvements, works, plants, and facilities considered
24 essential or beneficial to the district; or

25 (2) adequate to defray the cost of the maintenance,
26 operation, and administration of the district.

27 (b) An election for the imposition of taxes authorized by

1 (e) Pending the use of bond proceeds for the purpose for
2 which the bonds were issued, the board may invest the proceeds in
3 obligations of the United States. (Acts 54th Leg., R.S., Ch. 245,
4 Secs. 9(a), (b) (part), (f).)

5 Sec. 9051.253. FORM OF BONDS. District bonds must be:

6 (1) signed by the president; and

7 (2) attested by the secretary. (Acts 54th Leg., R.S.,
8 Ch. 245, Sec. 9(b) (part).)

9 Sec. 9051.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM
10 TAXES. (a) Bonds, other than refunding bonds, payable wholly or
11 partly from ad valorem taxes may not be issued unless authorized by
12 a majority of the district voters voting at an election.

13 (b) The board may order an election under this section
14 without a petition. The order must specify:

15 (1) the time and places at which the election will be
16 held;

17 (2) the purpose for which the bonds will be issued;

18 (3) the maximum amount of the bonds;

19 (4) the maximum maturity of the bonds;

20 (5) the maximum interest rate;

21 (6) the form of the ballot; and

22 (7) the presiding judge for each voting place.

23 (c) Notice of the election must be given by publishing a
24 substantial copy of the order in a newspaper of general circulation
25 in the district. The notice must be published once each week for
26 two consecutive weeks. The first publication must be at least 14
27 days before the date of the election. (Acts 54th Leg., R.S., Ch.

1 245, Sec. 9(i) (part).)

2 Sec. 9051.255. BONDS PAYABLE FROM AD VALOREM TAXES; TAX
3 RATE. (a) If bonds are issued payable wholly or partly from ad
4 valorem taxes, the board shall impose a tax sufficient to pay the
5 bonds and the interest on the bonds as the bonds and interest become
6 due.

7 (b) The board may adopt the rate of a tax imposed under
8 Subsection (a) for any year after giving consideration to the money
9 received from the pledged revenue that may be available for payment
10 of principal and interest to the extent and in the manner permitted
11 by the resolution authorizing the issuance of the bonds. (Acts 54th
12 Leg., R.S., Ch. 245, Sec. 9(d).)

13 Sec. 9051.256. ELECTION NOT REQUIRED FOR CERTAIN BONDS.
14 Bonds payable solely from the district's net revenue, from the
15 proceeds of any water contract, or from any source other than ad
16 valorem taxes may be issued pursuant to a board resolution without a
17 hearing or election. (Acts 54th Leg., R.S., Ch. 245, Sec. 9(i)
18 (part).)

19 Sec. 9051.257. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.
20 District bonds may be secured by a pledge of all or part of the net
21 revenue of the district, or by the net revenue of one or more
22 contracts made before or after the issuance of the bonds, or other
23 revenue in the manner specified by board resolution. The pledge may
24 reserve the right, under conditions specified by the pledge, to
25 issue additional bonds that will be on a parity with or subordinate
26 to the bonds then being issued. (Acts 54th Leg., R.S., Ch. 245,
27 Sec. 9(c) (part).)

1 Sec. 9051.258. CHARGES FOR DISTRICT SERVICES. If district
2 bonds payable wholly or partly from revenue are issued, the board
3 shall set by contract with the persons who contract with it for a
4 water supply or water or sewer facilities the rates of compensation
5 for water sold and water or sewer services provided by the district.
6 The rates must be sufficient to pay:

7 (1) the expense of operating and maintaining the
8 district and its facilities; and

9 (2) all obligations incurred by the district as they
10 mature, including the reserve fund and other funds as may be
11 provided for the bonds or other contracts under the terms of the
12 bonds or other contracts and as may be provided in the board
13 resolution pertaining to the bonds or other contracts. (Acts 54th
14 Leg., R.S., Ch. 245, Sec. 9(e).)

15 Sec. 9051.259. REFUNDING BONDS. (a) The board may issue
16 refunding bonds without an election to refund outstanding bonds
17 issued under this subchapter and interest on those bonds.

18 (b) Refunding bonds may be issued to refund bonds of more
19 than one series.

20 (c) In the case of bonds secured wholly or partly by net
21 revenue, the district may:

22 (1) combine the pledges for the outstanding bonds for
23 the security of the refunding bonds; or

24 (2) secure the refunding bonds by a pledge of other or
25 additional revenue.

26 (d) The provisions of this subchapter regarding the
27 issuance of other bonds and the rights and remedies of the holders

1 apply to refunding bonds. (Acts 54th Leg., R.S., Ch. 245, Sec.
2 9(h).)

3 Sec. 9051.260. BONDS EXEMPT FROM TAXATION. A bond issued
4 under this chapter, the transfer of the bond, and the income from
5 the bond, including profits on the sale of the bond, are exempt from
6 taxation by this state or by any political subdivision of this
7 state. (Acts 54th Leg., R.S., Ch. 245, Sec. 10.)

8 CHAPTER 9052. FLAMINGO ISLES MUNICIPAL UTILITY DISTRICT OF
9 GALVESTON COUNTY, TEXAS

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 9052.001. DEFINITIONS

12 Sec. 9052.002. NATURE OF DISTRICT

13 Sec. 9052.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

14 Sec. 9052.004. DISSOLUTION OF DISTRICT

15 SUBCHAPTER B. DISTRICT TERRITORY

16 Sec. 9052.051. DISTRICT TERRITORY

17 Sec. 9052.052. ADDITION OF LAND TO DISTRICT

18 SUBCHAPTER C. BOARD OF DIRECTORS

19 Sec. 9052.101. COMPOSITION OF BOARD

20 SUBCHAPTER D. POWERS AND DUTIES

21 Sec. 9052.151. WATER CONTROL AND IMPROVEMENT DISTRICT
22 POWERS

23 Sec. 9052.152. RECLAMATION AND DRAINAGE

24 Sec. 9052.153. ACQUISITION OF IMPROVEMENTS

25 Sec. 9052.154. COST OF RELOCATING OR ALTERING PROPERTY

26 Sec. 9052.155. LIMIT ON EMINENT DOMAIN POWER

1 Sec. 9052.156. DURATION OF CONTRACT FOR WATER PURCHASE
2 OR SALE

3 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

4 Sec. 9052.201. TAX METHOD

5 Sec. 9052.202. DEPOSITORY

6 CHAPTER 9052. FLAMINGO ISLES MUNICIPAL UTILITY DISTRICT OF
7 GALVESTON COUNTY, TEXAS

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 9052.001. DEFINITIONS. In this chapter:

10 (1) "Board" means the district's board of directors.

11 (2) "District" means the Flamingo Isles Municipal
12 Utility District of Galveston County, Texas. (Acts 59th Leg., R.S.,
13 Ch. 613, Sec. 1 (part); New.)

14 Sec. 9052.002. NATURE OF DISTRICT. The district is:

15 (1) a conservation and reclamation district in
16 Galveston County under Section 59, Article XVI, Texas Constitution;

17 (2) a water control and improvement district; and

18 (3) a municipal corporation. (Acts 59th Leg., R.S.,
19 Ch. 613, Secs. 1 (part), 7 (part), 9 (part).)

20 Sec. 9052.003. FINDINGS OF BENEFIT AND PUBLIC
21 PURPOSE. (a) The district is created to serve a public use and
22 benefit.

23 (b) All land and other property in the district will benefit
24 from the creation of the district and the improvements the district
25 will purchase, construct, or otherwise acquire.

26 (c) The district is essential to accomplish the purposes of
27 Section 59, Article XVI, Texas Constitution. (Acts 59th Leg.,

1 R.S., Ch. 613, Secs. 7 (part), 9 (part).)

2 Sec. 9052.004. DISSOLUTION OF DISTRICT. The district may
3 be dissolved by the board in accordance with Sections
4 51.781-51.791, Water Code. (Acts 59th Leg., R.S., Ch. 613, Sec. 5
5 (part).)

6 SUBCHAPTER B. DISTRICT TERRITORY

7 Sec. 9052.051. DISTRICT TERRITORY. (a) The district is
8 composed of the territory described by Section 1, Chapter 613, Acts
9 of the 59th Legislature, Regular Session, 1965, as that territory
10 may have been modified under:

- 11 (1) Subchapter O, Chapter 51, Water Code;
12 (2) Subchapter J, Chapter 49, Water Code;
13 (3) Section 9052.052 or its predecessor statute,
14 former Section 5, Chapter 613, Acts of the 59th Legislature,
15 Regular Session, 1965; or
16 (4) other law.

17 (b) The boundaries and field notes of the district form a
18 closure. A mistake in the field notes or in copying the field notes
19 in the legislative process does not affect:

- 20 (1) the district's organization, existence, or
21 validity;
22 (2) the district's right to issue bonds or to pay the
23 principal of and interest on the bonds;
24 (3) the district's right to impose a tax; or
25 (4) the legality or operation of the district or its
26 governing body. (Acts 59th Leg., R.S., Ch. 613, Sec. 2; New.)

27 Sec. 9052.052. ADDITION OF LAND TO DISTRICT. The district

1 may not add land to the district unless:

2 (1) an owner of land adjacent or contiguous to the
3 district requests in writing that the district add land;

4 (2) the owner of the land to be added consents to the
5 addition; and

6 (3) the land is adjacent or contiguous to the district
7 when added. (Acts 59th Leg., R.S., Ch. 613, Sec. 5 (part).)

8 SUBCHAPTER C. BOARD OF DIRECTORS

9 Sec. 9052.101. COMPOSITION OF BOARD. The board is composed
10 of five elected directors. (Acts 59th Leg., R.S., Ch. 613, Sec. 4
11 (part).)

12 SUBCHAPTER D. POWERS AND DUTIES

13 Sec. 9052.151. WATER CONTROL AND IMPROVEMENT DISTRICT
14 POWERS. The district has the rights, powers, privileges, and
15 duties provided by general law applicable to a water control and
16 improvement district created under Section 59, Article XVI, Texas
17 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th
18 Leg., R.S., Ch. 613, Sec. 3 (part).)

19 Sec. 9052.152. RECLAMATION AND DRAINAGE. The district may
20 provide for the reclamation and drainage of overflowed land and
21 other land needing drainage in the district. (Acts 59th Leg., R.S.,
22 Ch. 613, Sec. 3 (part).)

23 Sec. 9052.153. ACQUISITION OF IMPROVEMENTS. The district
24 may make, construct, or otherwise acquire existing improvements or
25 improvements to be made, constructed, or acquired, inside or
26 outside the district, that are necessary to carry out a power
27 granted to the district under this chapter or a general law

1 described by Section 9052.151. (Acts 59th Leg., R.S., Ch. 613, Sec.
2 3 (part).)

3 Sec. 9052.154. COST OF RELOCATING OR ALTERING PROPERTY.

4 (a) In this section, "sole expense" means the actual cost of
5 relocating, raising, lowering, rerouting, changing the grade of, or
6 altering the construction of a facility described by Subsection (b)
7 in providing comparable replacement without enhancement of the
8 facility, after deducting from that cost the net salvage value
9 derived from the old facility.

10 (b) If the district's exercise of the power of eminent
11 domain, the power of relocation, or any other power granted by this
12 chapter makes necessary relocating, raising, rerouting, changing
13 the grade of, or altering the construction of a highway, railroad,
14 electric transmission line, telephone or telegraph property or
15 facility, or pipeline, the necessary action shall be accomplished
16 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.
17 613, Sec. 3 (part).)

18 Sec. 9052.155. LIMIT ON EMINENT DOMAIN POWER. The district
19 may not exercise the power of eminent domain outside the district.
20 (Acts 59th Leg., R.S., Ch. 613, Sec. 3 (part).)

21 Sec. 9052.156. DURATION OF CONTRACT FOR WATER PURCHASE OR
22 SALE. A district contract for the purchase or sale of water may not
23 exceed 40 years. (Acts 59th Leg., R.S., Ch. 613, Sec. 3 (part).)

24 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

25 Sec. 9052.201. TAX METHOD. (a) The district shall use the
26 ad valorem basis or plan of taxation.

27 (b) The board is not required to hold a hearing on the

1 adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 613,
2 Sec. 7 (part).)

3 Sec. 9052.202. DEPOSITORY. (a) The board by resolution
4 shall designate one or more banks inside or outside the district to
5 serve as the district's depository. A designated bank serves for
6 two years and until a successor is designated.

7 (b) All district money shall be secured in the manner
8 provided for securing county funds. (Acts 59th Leg., R.S., Ch. 613,
9 Sec. 8.)

10 CHAPTER 9053. LAZY RIVER IMPROVEMENT DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 9053.001. DEFINITIONS

13 Sec. 9053.002. NATURE OF DISTRICT

14 Sec. 9053.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

15 Sec. 9053.004. DISTRICT TERRITORY

16 Sec. 9053.005. EXPANSION OF DISTRICT

17 Sec. 9053.006. HEARINGS FOR EXCLUSION OF LAND

18 Sec. 9053.007. CERTAIN STATUTES NOT APPLICABLE TO

19 DISTRICT

20 SUBCHAPTER B. DISTRICT ADMINISTRATION

21 Sec. 9053.051. BOARD OF DIRECTORS

22 Sec. 9053.052. DIRECTOR'S BOND

23 Sec. 9053.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY

24 FROM BOARD MEETING

25 Sec. 9053.054. VOTE BY BOARD PRESIDENT

26 Sec. 9053.055. ABSENCE OR INACTION OF BOARD PRESIDENT

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 9053.101. WATER CONTROL AND IMPROVEMENT DISTRICT

3 POWERS

4 Sec. 9053.102. ADDITIONAL POWERS

5 Sec. 9053.103. LIMIT ON EMINENT DOMAIN POWER

6 Sec. 9053.104. COST OF RELOCATING OR ALTERING PROPERTY

7 Sec. 9053.105. NOTICE OF ELECTION

8 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

9 Sec. 9053.151. TAX METHOD

10 Sec. 9053.152. DEPOSITORY

11 Sec. 9053.153. PAYMENT OF TAX OR ASSESSMENT NOT

12 REQUIRED

13 SUBCHAPTER E. BONDS

14 Sec. 9053.201. AUTHORITY TO ISSUE BONDS

15 Sec. 9053.202. EXCHANGING BONDS FOR PROPERTY OR WORK

16 Sec. 9053.203. FAILED BOND ELECTION

17 Sec. 9053.204. BONDS EXEMPT FROM TAXATION

18 CHAPTER 9053. LAZY RIVER IMPROVEMENT DISTRICT

19 SUBCHAPTER A. GENERAL PROVISIONS

20 Sec. 9053.001. DEFINITIONS. In this chapter:

21 (1) "Board" means the district's board of directors.

22 (2) "Director" means a board member.

23 (3) "District" means the Lazy River Improvement

24 District. (Acts 59th Leg., R.S., Ch. 584, Sec. 1 (part); New.)

25 Sec. 9053.002. NATURE OF DISTRICT. The district is a
26 conservation and reclamation district in Montgomery County created
27 under Section 59, Article XVI, Texas Constitution. (Acts 59th

1 Leg., R.S., Ch. 584, Sec. 1 (part).)

2 Sec. 9053.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

3 The district is created to serve a public use and benefit.

4 (b) All land and other property included in the boundaries
5 of the district will benefit from the works and projects
6 accomplished by the district under the powers conferred by Section
7 59, Article XVI, Texas Constitution.

8 (c) The district is essential to accomplish the purposes of
9 Section 59, Article XVI, Texas Constitution.

10 (d) The accomplishment of the purposes stated in this
11 chapter will benefit the people of this state and improve their
12 property and industries.

13 (e) The district in carrying out the purposes of this
14 chapter will be performing an essential public function under the
15 Texas Constitution. (Acts 59th Leg., R.S., Ch. 584, Secs. 1 (part),
16 4, 22 (part).)

17 Sec. 9053.004. DISTRICT TERRITORY. (a) The district is
18 composed of the territory described by Section 2, Chapter 584, Acts
19 of the 59th Legislature, Regular Session, 1965, as that territory
20 may have been modified under:

21 (1) Subchapter O, Chapter 51, Water Code;

22 (2) Subchapter J, Chapter 49, Water Code;

23 (3) Section 9053.005 of this chapter or its
24 predecessor statute, former Section 16, Chapter 584, Acts of the
25 59th Legislature, Regular Session, 1965; or

26 (4) other law.

27 (b) The boundaries and field notes of the district form a

1 closure. A mistake in the field notes or in copying the field notes
2 in the legislative process does not affect:

3 (1) the district's organization, existence, or
4 validity;

5 (2) the district's right to issue any type or kind of
6 bond or to pay the principal of and interest on the bond;

7 (3) the district's right to impose a tax; or

8 (4) the legality or operation of the district or the
9 board. (Acts 59th Leg., R.S., Ch. 584, Sec. 3; New.)

10 Sec. 9053.005. EXPANSION OF DISTRICT. (a) Except as
11 otherwise provided by this section, the district may annex
12 territory as provided by Section 49.302, Water Code.

13 (b) Territory may not be annexed to the district without the
14 written consent of at least a three-fourths majority of all
15 landowners in the territory to be annexed whose land must also
16 constitute at least three-fourths of the value of all land in the
17 territory to be annexed, as shown by the tax rolls of the county in
18 which the territory to be annexed is located.

19 (c) A finding by the district that the requirements of
20 Subsection (b) have been met is:

21 (1) conclusive for all purposes; and

22 (2) not subject to judicial review. (Acts 59th Leg.,
23 R.S., Ch. 584, Sec. 16.)

24 Sec. 9053.006. HEARINGS FOR EXCLUSION OF LAND. (a) The
25 board is not required to call or hold a hearing on the exclusion of
26 land or other property from the district; provided, however, that
27 the board shall hold a hearing if an owner of land or other property

1 located in the district files a written request for a hearing with
2 the board secretary before the district's first bond election is
3 called.

4 (b) This section may not be construed to prevent the board
5 on its own motion from calling and holding an exclusion hearing
6 under general law. (Acts 59th Leg., R.S., Ch. 584, Sec. 7.)

7 Sec. 9053.007. CERTAIN STATUTES NOT APPLICABLE TO DISTRICT.

8 (a) The district is created notwithstanding the provisions of
9 Chapter 160, Acts of the 58th Legislature, Regular Session, 1963
10 (former Article 970a, Vernon's Texas Civil Statutes), as those
11 provisions existed on June 17, 1965, and those provisions do not
12 apply to the district.

13 (b) Any conflict between this section and subsequent
14 amendments to provisions described by Subsection (a) or the
15 subsequent codification of provisions described by Subsection (a)
16 in the Local Government Code is governed by the rules of statutory
17 construction, including Sections 311.025(a) and 311.026,
18 Government Code (Code Construction Act). (Acts 59th Leg., R.S.,
19 Ch. 584, Sec. 13; New.)

20 SUBCHAPTER B. DISTRICT ADMINISTRATION

21 Sec. 9053.051. BOARD OF DIRECTORS. (a) The board consists
22 of five elected directors.

23 (b) To be appointed as a director, a person must:

24 (1) be at least 18 years of age; and

25 (2) reside in this state.

26 (c) Such director is not required to reside in the district.

27 (d) Such director is not required to own land in the

1 district, but before the district awards any construction
2 contracts, each director must own land in the district subject to
3 district taxation. (Acts 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

4 Sec. 9053.052. DIRECTOR'S BOND. Each director shall give a
5 bond in the amount of \$5,000 for the faithful performance of the
6 director's duties. (Acts 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

7 Sec. 9053.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY FROM
8 BOARD MEETING. (a) The board secretary shall sign the minutes of
9 each board meeting.

10 (b) If the board secretary is absent from a board meeting,
11 the board shall name a secretary pro tem for the meeting who may:

12 (1) exercise all powers and duties of the secretary
13 for the meeting;

14 (2) sign the minutes of the meeting; and

15 (3) attest all orders passed or other action taken at
16 the meeting. (Acts 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

17 Sec. 9053.054. VOTE BY BOARD PRESIDENT. The board
18 president has the same right to vote as any other director. (Acts
19 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

20 Sec. 9053.055. ABSENCE OR INACTION OF BOARD PRESIDENT.
21 When the board president is absent or fails or declines to act, the
22 board vice president shall perform all duties and exercise all
23 power this chapter or general law gives the president. (Acts 59th
24 Leg., R.S., Ch. 584, Sec. 9 (part).)

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 9053.101. WATER CONTROL AND IMPROVEMENT DISTRICT
27 POWERS. The district has the rights, powers, privileges, and

1 duties provided by general law applicable to a water control and
2 improvement district created under Section 59, Article XVI, Texas
3 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th
4 Leg., R.S., Ch. 584, Sec. 5 (part); New.)

5 Sec. 9053.102. ADDITIONAL POWERS. (a) The district may:

6 (1) purchase, construct, or otherwise acquire a
7 waterworks system, sanitary sewer system, storm sewer system, or
8 drainage facility or any part of those systems or facilities;

9 (2) make any purchase, construction, improvement,
10 extension, addition, or repair necessary to a system or facility
11 described by Subdivision (1);

12 (3) purchase or otherwise acquire, operate, and
13 maintain any land, right-of-way, easement, site, equipment,
14 building, plant, structure, or facility necessary for a system or
15 facility described by Subdivision (1); and

16 (4) sell water and other services.

17 (b) The district may exercise any of the rights or powers
18 granted by this chapter inside or outside the district's
19 boundaries, but only in Montgomery County. (Acts 59th Leg., R.S.,
20 Ch. 584, Sec. 17 (part).)

21 Sec. 9053.103. LIMIT ON EMINENT DOMAIN POWER. The district
22 may exercise the power of eminent domain only in Montgomery County.
23 (Acts 59th Leg., R.S., Ch. 584, Sec. 12 (part).)

24 Sec. 9053.104. COST OF RELOCATING OR ALTERING PROPERTY. If
25 the district's exercise of the power of eminent domain, the power of
26 relocation, or any other power granted by this chapter makes
27 necessary relocating, raising, rerouting, changing the grade of, or

1 altering the construction of a highway, railroad, electric
2 transmission line, telegraph or telephone property or facility, or
3 pipeline, the necessary action shall be accomplished at the sole
4 expense of the district. (Acts 59th Leg., R.S., Ch. 584, Sec. 12
5 (part).)

6 Sec. 9053.105. NOTICE OF ELECTION. Notice of an election
7 may be given under the hand of the board president or secretary.
8 (Acts 59th Leg., R.S., Ch. 584, Sec. 20.)

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

10 Sec. 9053.151. TAX METHOD. (a) The district shall use the
11 ad valorem plan of taxation.

12 (b) The board is not required to call or hold a hearing on
13 the adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 584,
14 Sec. 8.)

15 Sec. 9053.152. DEPOSITORY. (a) The board shall select one
16 or more banks or trust companies in this state to act as a
17 depository of bond proceeds or of revenue derived from the
18 operation of district facilities.

19 (b) The depository shall, as determined by the board:

20 (1) furnish indemnity bonds;

21 (2) pledge securities; or

22 (3) meet any other requirements. (Acts 59th Leg.,
23 R.S., Ch. 584, Sec. 15.)

24 Sec. 9053.153. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.

25 The district is not required to pay a tax or assessment on:

26 (1) a district project or any part of the project; or

27 (2) a district purchase. (Acts 59th Leg., R.S., Ch.

1 584, Sec. 22 (part).)

2 SUBCHAPTER E. BONDS

3 Sec. 9053.201. AUTHORITY TO ISSUE BONDS. The district may:

4 (1) issue bonds of any kind to carry out any purpose
5 authorized by this chapter; and

6 (2) provide for and make payment for the bonds and for
7 any expense necessarily incurred in connection with the issuance of
8 the bonds. (Acts 59th Leg., R.S., Ch. 584, Sec. 17 (part).)

9 Sec. 9053.202. EXCHANGING BONDS FOR PROPERTY OR WORK. The
10 district may exchange bonds, including refunding bonds:

11 (1) for property acquired by purchase; or

12 (2) in payment of the contract price of work performed
13 or materials or services provided for the use and benefit of the
14 district. (Acts 59th Leg., R.S., Ch. 584, Sec. 18 (part).)

15 Sec. 9053.203. FAILED BOND ELECTION. (a) A general law,
16 including Sections 51.781-51.791, Water Code, that provides for
17 calling a hearing on the dissolution of a district after a failed
18 district bond election does not apply to the district.

19 (b) After the expiration of 30 days from the date of a failed
20 bond election, the board may call a subsequent bond election.

21 (c) The district continues to exist and retain its full
22 power to function and operate regardless of the outcome of a bond
23 election. (Acts 59th Leg., R.S., Ch. 584, Sec. 19.)

24 Sec. 9053.204. BONDS EXEMPT FROM TAXATION. A bond issued
25 under this chapter, the transfer of the bond, and income from the
26 bond, including profits made on the sale of the bond, are exempt
27 from taxation in this state. (Acts 59th Leg., R.S., Ch. 584, Sec.

1 22 (part).)

2 CHAPTER 9055. WISE COUNTY WATER SUPPLY DISTRICT

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 9055.001. DEFINITIONS

5 Sec. 9055.002. NATURE OF DISTRICT

6 Sec. 9055.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

7 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATIONS TO DISTRICT

8 TERRITORY

9 Sec. 9055.051. DISTRICT TERRITORY

10 Sec. 9055.052. AUTHORITY TO ANNEX TERRITORY

11 Sec. 9055.053. PETITION FOR ANNEXATION; BOARD FINDINGS

12 AND RESOLUTION; HEARING

13 Sec. 9055.054. ANNEXATION HEARING

14 Sec. 9055.055. BOARD FINDINGS AND RESOLUTION; ELECTION

15 Sec. 9055.056. NOTICE OF ANNEXATION ELECTION

16 Sec. 9055.057. ELECTION RESULTS

17 Sec. 9055.058. ANNEXATION OF CERTAIN MUNICIPAL

18 TERRITORY

19 Sec. 9055.059. ASSUMPTION OF DEBT; TAXES

20 Sec. 9055.060. RESTRICTION ON ANNEXATION OF RAILROAD

21 RIGHT-OF-WAY, TRANSMISSION LINE, OR

22 OTHER UTILITY PROPERTY

23 SUBCHAPTER C. BOARD OF DIRECTORS

24 Sec. 9055.101. BOARD

25 Sec. 9055.102. APPOINTMENT OF DIRECTORS

26 Sec. 9055.103. QUALIFICATIONS FOR OFFICE

27 Sec. 9055.104. VACANCY

- 1 Sec. 9055.105. OFFICERS
- 2 Sec. 9055.106. VOTE BY BOARD PRESIDENT
- 3 Sec. 9055.107. DIRECTOR AND TREASURER BONDS
- 4 SUBCHAPTER D. GENERAL POWERS AND DUTIES
- 5 Sec. 9055.151. CONSTRUCTION OF DAM
- 6 Sec. 9055.152. SOURCES OF WATER
- 7 Sec. 9055.153. CONSTRUCTION OR ACQUISITION OF PROPERTY
- 8 Sec. 9055.154. WATER APPROPRIATION PERMITS
- 9 Sec. 9055.155. PURCHASE OF WATER
- 10 Sec. 9055.156. EMINENT DOMAIN
- 11 Sec. 9055.157. COST OF RELOCATING OR ALTERING PROPERTY
- 12 Sec. 9055.158. CONSTRUCTION CONTRACTS
- 13 Sec. 9055.159. CONTRACTS TO SUPPLY WATER AND OPERATE
- 14 FACILITIES
- 15 Sec. 9055.160. ADOPTION OF RULES
- 16 Sec. 9055.161. APPLICABILITY AND ENFORCEMENT OF
- 17 CERTAIN LAWS
- 18 SUBCHAPTER E. GENERAL FINANCIAL AND ADMINISTRATIVE PROVISIONS
- 19 Sec. 9055.201. DEPOSITORY
- 20 Sec. 9055.202. PROJECTS EXEMPT FROM ASSESSMENT OR
- 21 TAXATION
- 22 Sec. 9055.203. COLLECTION OF DISTRICT TAXES; CONTRACTS
- 23 FOR PERFORMANCE OF ADMINISTRATIVE
- 24 DUTIES
- 25 SUBCHAPTER F. BONDS
- 26 Sec. 9055.251. AUTHORITY TO ISSUE BONDS
- 27 Sec. 9055.252. FORM OF BONDS

- 1 Sec. 9055.253. MATURITY
- 2 Sec. 9055.254. ELECTION FOR BONDS PAYABLE FROM AD
- 3 VALOREM TAXES
- 4 Sec. 9055.255. BONDS PAYABLE FROM REVENUE
- 5 Sec. 9055.256. BONDS PAYABLE FROM AD VALOREM TAXES
- 6 Sec. 9055.257. TAX AND RATE REQUIREMENTS
- 7 Sec. 9055.258. ADDITIONAL SECURITY
- 8 Sec. 9055.259. USE OF BOND PROCEEDS
- 9 Sec. 9055.260. APPOINTMENT OF RECEIVER
- 10 Sec. 9055.261. REFUNDING BONDS
- 11 Sec. 9055.262. BONDS EXEMPT FROM TAXATION

12 CHAPTER 9055. WISE COUNTY WATER SUPPLY DISTRICT

13 SUBCHAPTER A. GENERAL PROVISIONS

14 Sec. 9055.001. DEFINITIONS. In this chapter:

15 (1) "Board" means the district's board of directors.

16 (2) "Director" means a member of the board.

17 (3) "District" means the Wise County Water Supply
18 District. (Acts 53rd Leg., R.S., Ch. 268, Sec. 1 (part); New.)

19 Sec. 9055.002. NATURE OF DISTRICT. The district is created
20 under Section 59, Article XVI, Texas Constitution. (Acts 53rd
21 Leg., R.S., Ch. 268, Sec. 1 (part).)

22 Sec. 9055.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
23 All land in the district will benefit from the improvements to be
24 acquired and constructed by the district.

25 (b) The accomplishment of the purposes stated in this
26 chapter will benefit the people of this state and improve their
27 property and industries.

1 (c) The district, in carrying out the purposes of this
2 chapter, will be performing an essential public function under the
3 Texas Constitution. (Acts 53rd Leg., R.S., Ch. 268, Secs. 2 (part),
4 19 (part).)

5 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATIONS TO DISTRICT
6 TERRITORY

7 Sec. 9055.051. DISTRICT TERRITORY. The district is
8 composed of the territory described by Section 2, Chapter 268, Acts
9 of the 53rd Legislature, Regular Session, 1953, as that territory
10 may have been modified under:

- 11 (1) Subchapter J, Chapter 49, Water Code;
12 (2) this subchapter or its predecessor statute, former
13 Section 5, Chapter 268, Acts of the 53rd Legislature, Regular
14 Session, 1953; or
15 (3) other law. (Acts 53rd Leg., R.S., Ch. 268, Sec. 2
16 (part); New.)

17 Sec. 9055.052. AUTHORITY TO ANNEX TERRITORY. Territory
18 inside Wise County, whether contiguous to the district or not, may
19 be annexed to the district in the manner provided by this
20 subchapter. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5 (part).)

21 Sec. 9055.053. PETITION FOR ANNEXATION; BOARD FINDINGS AND
22 RESOLUTION; HEARING. (a) The board may annex territory under this
23 subchapter if a petition requesting annexation is signed by 50
24 registered voters of the territory to be annexed who own taxable
25 property in that territory, or by a majority of the registered
26 voters of that territory who own taxable property in that
27 territory, and is filed with the board. The petition must describe

1 the territory to be annexed by metes and bounds.

2 (b) If the board determines that the petition complies with
3 Subsection (a), that the annexation would be in the interest of the
4 district, and that the district will be able to supply water to the
5 territory, the board shall:

6 (1) adopt a resolution declaring its intention to call
7 an election in the territory to submit the proposition of whether
8 the territory is to be annexed to the district; and

9 (2) set a time and place to hold a board hearing on the
10 question of whether the territory to be annexed will benefit from
11 the improvements, works, and facilities then owned or operated or
12 contemplated to be owned or operated by the district. (Acts 53rd
13 Leg., R.S., Ch. 268, Secs. 5(a), (b).)

14 Sec. 9055.054. ANNEXATION HEARING. (a) At least 10 days
15 before the date of the annexation hearing, notice of the adoption of
16 the resolution stating the time and place of the hearing and
17 addressed to the citizens and owners of property in the territory to
18 be annexed shall be published one time in a newspaper of general
19 circulation in the territory to be annexed. The notice must
20 describe the territory in the same manner in which Section
21 9055.053(a) requires the petition to describe the territory.

22 (b) If a newspaper of general circulation is not published
23 in the territory to be annexed, the notice shall be posted in three
24 public places in the territory.

25 (c) Any interested person may appear at the hearing and
26 offer evidence for or against the annexation.

27 (d) The hearing may proceed in the order and under the rules

1 prescribed by the board and may be recessed from time to time.
2 (Acts 53rd Leg., R.S., Ch. 268, Secs. 5(c), (d) (part).)

3 Sec. 9055.055. BOARD FINDINGS AND RESOLUTION; ELECTION.

4 If, at the conclusion of the annexation hearing, the board finds
5 that all land in the territory to be annexed will benefit from the
6 present or contemplated improvements, works, or facilities of the
7 district, the board shall adopt a resolution that:

8 (1) calls an election in the territory to be annexed;
9 and

10 (2) states the date of the election and the place or
11 places of holding the election. (Acts 53rd Leg., R.S., Ch. 268,
12 Sec. 5(d) (part).)

13 Sec. 9055.056. NOTICE OF ANNEXATION ELECTION. At least 10
14 days before the date set for the election, notice of the election
15 must be published one time in a newspaper of general circulation in
16 the district. In addition to the requirements of Section 4.004,
17 Election Code, notice of the annexation election must:

18 (1) state the conditions under which the territory may
19 be annexed; or

20 (2) refer to the resolution of the board for that
21 purpose. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5(e).)

22 Sec. 9055.057. ELECTION RESULTS. (a) The board shall issue
23 an order declaring the results of the annexation election.

24 (b) If the order shows that a majority of the votes cast are
25 in favor of annexation, the board shall annex the proposed
26 territory to the district. The annexation is incontestable except
27 within the time for contesting elections under the general election

1 law.

2 (c) A certified copy of the order shall be recorded in the
3 deed records of the county in which the territory is located. (Acts
4 53rd Leg., R.S., Ch. 268, Sec. 5(g) (part).)

5 Sec. 9055.058. ANNEXATION OF CERTAIN MUNICIPAL TERRITORY.

6 (a) Territory annexed to any municipality in the district may be
7 annexed to the district as provided by this section.

8 (b) At any time after final passage of an ordinance or
9 resolution annexing territory to a municipality in the district,
10 the board may give notice of a hearing on the question of annexing
11 that territory or any part of that territory to the district. The
12 notice is sufficient if it:

13 (1) states the date and place of the hearing; and

14 (2) describes the area proposed to be annexed or
15 refers to the annexation ordinance or resolution of the
16 municipality.

17 (c) At least 10 days before the date set for the hearing, the
18 notice must be published one time in a newspaper of general
19 circulation in the annexing municipality.

20 (d) If, as a result of the hearing, the board finds that the
21 territory will benefit from the water supplied or to be supplied by
22 the district, the board shall adopt a resolution annexing the
23 territory to the district. (Acts 53rd Leg., R.S., Ch. 268, Sec.
24 5(h).)

25 Sec. 9055.059. ASSUMPTION OF DEBT; TAXES. (a) After
26 territory is annexed to the district, the board may hold an election
27 in the district as enlarged to determine whether the district as

1 enlarged shall assume any tax-supported bonds then outstanding and
2 those previously voted but not yet sold and impose an ad valorem tax
3 on all taxable property in the district as enlarged to pay the
4 bonds, unless the proposition is voted along with the annexation
5 election and becomes binding on the territory annexed.

6 (b) An election held under Subsection (a) shall be held in
7 the same manner as an election under this chapter for the issuance
8 of bonds. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5(i).)

9 Sec. 9055.060. RESTRICTION ON ANNEXATION OF RAILROAD
10 RIGHT-OF-WAY, TRANSMISSION LINE, OR OTHER UTILITY PROPERTY.
11 Railroad right-of-way, transmission lines and other property of
12 electric and gas utilities that are not in the limits of a
13 municipality will not benefit from improvements, works, and
14 facilities the district is authorized to construct. Therefore,
15 railroad right-of-way or transmission lines or other property of
16 electric and gas utilities may not be annexed to the district unless
17 the right-of-way, transmission lines and other property of electric
18 and gas utilities are contained in the limits of a municipality
19 annexed to the district. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5(d)
20 (part).)

21 SUBCHAPTER C. BOARD OF DIRECTORS

22 Sec. 9055.101. BOARD. (a) The district is governed by a
23 board of five directors.

24 (b) Directors serve staggered two-year terms expiring the
25 first Tuesday of May.

26 (c) A majority of directors constitutes a quorum. (Acts 53rd
27 Leg., R.S., Ch. 268, Sec. 3(a) (part).)

1 Sec. 9055.102. APPOINTMENT OF DIRECTORS. In April of each
2 year, the governing body of the City of Decatur shall appoint a
3 director to succeed each director whose term expires during the
4 following May. (Acts 53rd Leg., R.S., Ch. 268, Sec. 3(c) (part).)

5 Sec. 9055.103. QUALIFICATIONS FOR OFFICE. (a) A person may
6 not be appointed a director unless the person resides in and owns
7 taxable property in the district.

8 (b) A member of a municipality's governing body or an
9 employee of a municipality may not be a director. (Acts 53rd Leg.,
10 R.S., Ch. 268, Sec. 3(a) (part).)

11 Sec. 9055.104. VACANCY. The governing body of the City of
12 Decatur shall appoint a successor to fill a vacancy on the board for
13 the unexpired term. (Acts 53rd Leg., R.S., Ch. 268, Sec. 3(c)
14 (part).)

15 Sec. 9055.105. OFFICERS. (a) The board shall elect from
16 the board's membership a president, a vice president, and any other
17 officers as the board determines necessary. The president is the
18 chief executive officer of the district and the presiding officer
19 of the board. The vice president shall act as president if the
20 president is absent or fails or declines to act.

21 (b) The board shall appoint a secretary and a treasurer, who
22 are not required to be directors. The board may combine the offices
23 of secretary and treasurer. (Acts 53rd Leg., R.S., Ch. 268, Sec. 4
24 (part).)

25 Sec. 9055.106. VOTE BY BOARD PRESIDENT. The president has
26 the same right to vote as any other director. (Acts 53rd Leg.,
27 R.S., Ch. 268, Sec. 4 (part).)

1 Sec. 9055.107. DIRECTOR AND TREASURER BONDS. (a) Each
2 director shall give bond in the amount of \$5,000 conditioned on the
3 faithful performance of the director's duties. The district shall
4 pay the cost of the bond.

5 (b) The treasurer shall give bond in the amount required by
6 the board. The treasurer's bond shall be conditioned on the
7 treasurer's faithful accounting for all money that comes into the
8 treasurer's custody as treasurer of the district. (Acts 53rd Leg.,
9 R.S., Ch. 268, Secs. 3(a) (part), 4 (part).)

10 SUBCHAPTER D. GENERAL POWERS AND DUTIES

11 Sec. 9055.151. CONSTRUCTION OF DAM. (a) The district may
12 impound storm and flood waters and the unappropriated flow waters
13 at one or more places and in an amount approved by the Texas
14 Commission on Environmental Quality by constructing one or more
15 dams inside or outside the district in Wise County. In exercising
16 its powers under this subsection, the district shall comply with
17 Subchapters A-D, Chapter 11, and Subchapter B, Chapter 12, Water
18 Code.

19 (b) A dam or other works for the impounding of water under
20 this section may not be constructed until the plans for the dam or
21 other works are approved by the Texas Commission on Environmental
22 Quality. (Acts 53rd Leg., R.S., Ch. 268, Sec. 6 (part).)

23 Sec. 9055.152. SOURCES OF WATER. The district may develop
24 or otherwise acquire sources of water. (Acts 53rd Leg., R.S., Ch.
25 268, Sec. 6 (part).)

26 Sec. 9055.153. CONSTRUCTION OR ACQUISITION OF PROPERTY.
27 (a) The district may construct or otherwise acquire all works,

1 plants, and other facilities necessary or useful for the purpose of
2 processing water impounded, developed, or otherwise acquired and
3 transporting it to municipalities and others for municipal,
4 domestic, and industrial purposes.

5 (b) The district, inside or outside the district, may:

6 (1) construct or otherwise acquire all works, plants,
7 and other facilities necessary for the purpose of receiving and
8 treating water purchased from others; and

9 (2) transport the water to municipalities and others
10 for municipal, domestic, and industrial purposes. (Acts 53rd Leg.,
11 R.S., Ch. 268, Secs. 6 (part), 6a.)

12 Sec. 9055.154. WATER APPROPRIATION PERMITS. The district
13 may acquire water appropriation permits directly from the Texas
14 Commission on Environmental Quality or from owners of permits.
15 (Acts 53rd Leg., R.S., Ch. 268, Sec. 16 (part).)

16 Sec. 9055.155. PURCHASE OF WATER. The district may
17 purchase water or a water supply from any person. (Acts 53rd Leg.,
18 R.S., Ch. 268, Sec. 16 (part).)

19 Sec. 9055.156. EMINENT DOMAIN. (a) To carry out a power
20 provided by this chapter, the district may exercise the power of
21 eminent domain to acquire land and easements inside or outside the
22 district in Wise County, including land above the probable high
23 water line around the reservoirs.

24 (b) The district must exercise the power of eminent domain
25 in the manner provided by Chapter 21, Property Code.

26 (c) The board shall determine the amount and the type of
27 interest in land and easements to be acquired under this section.

1 (Acts 53rd Leg., R.S., Ch. 268, Sec. 7 (part).)

2 Sec. 9055.157. COST OF RELOCATING OR ALTERING PROPERTY. If
3 the district's exercise of the power of eminent domain, the power of
4 relocation, or any other power granted by this chapter makes
5 necessary relocating, raising, rerouting, changing the grade of, or
6 altering the construction of a highway, railroad, electric
7 transmission line, telephone or telegraph property or facility, or
8 pipeline, the necessary action shall be accomplished at the sole
9 expense of the district. (Acts 53rd Leg., R.S., Ch. 268, Sec. 7
10 (part).)

11 Sec. 9055.158. CONSTRUCTION CONTRACTS. (a) This section
12 applies only to a construction contract or contract for the
13 purchase of materials, equipment, or supplies requiring an
14 expenditure of more than \$2,000.

15 (b) The district shall award a contract to the lowest and
16 best bidder after publishing notice to bidders once a week for two
17 weeks in a newspaper published in the district that is designated by
18 the board.

19 (c) The notice is sufficient if it states:

20 (1) the time and place for opening the bids;

21 (2) the general nature of the work to be done or the
22 materials, equipment, or supplies to be purchased; and

23 (3) the place where and the terms on which copies of
24 the plans and specifications may be obtained. (Acts 53rd Leg.,
25 R.S., Ch. 268, Sec. 8.)

26 Sec. 9055.159. CONTRACTS TO SUPPLY WATER AND OPERATE
27 FACILITIES. (a) The district may contract with municipalities and

1 others to supply water to those entities.

2 (b) The district may contract with a municipality for the
3 rental or leasing of or for the operation of the water production,
4 water supply, and water supply facilities of the municipality.

5 (c) The district may contract with the City of Decatur for
6 the operation of the district's facilities by the city.

7 (d) The contract may be on terms and for the time agreed to
8 by the parties.

9 (e) The contract may provide that it will continue in effect
10 until bonds specified in it and refunding bonds issued in lieu of
11 the bonds are paid. (Acts 53rd Leg., R.S., Ch. 268, Sec. 14.)

12 Sec. 9055.160. ADOPTION OF RULES. The board may adopt
13 reasonable rules to:

14 (1) secure, maintain, and preserve the sanitary
15 condition of water in and water that flows into any reservoir owned
16 by the district;

17 (2) prevent waste of or the unauthorized use of water;
18 and

19 (3) regulate residence, hunting, fishing, boating,
20 camping, and any other recreational or business privilege along or
21 around any district reservoir and the stream leading into the
22 reservoir, and its tributaries, or any body of land, or easement
23 owned or controlled by the district. (Acts 53rd Leg., R.S., Ch.
24 268, Sec. 21(a).)

25 Sec. 9055.161. APPLICABILITY AND ENFORCEMENT OF CERTAIN
26 LAWS. (a) The general laws applicable to a water control and
27 improvement district for the preservation of the sanitary condition

1 of water, the prevention of waste, and the regulation of hunting,
2 fishing, boating, and other similar uses, apply to the district.

3 (b) The law officers of the county and state shall enforce
4 in court the laws described by Subsection (a). (Acts 53rd Leg.,
5 R.S., Ch. 268, Sec. 21(b).)

6 SUBCHAPTER E. GENERAL FINANCIAL AND ADMINISTRATIVE PROVISIONS

7 Sec. 9055.201. DEPOSITORY. (a) Except as provided by
8 Subsection (i), the board shall designate one or more banks in the
9 district to serve as depository for the district's money.

10 (b) District money shall be deposited with a designated
11 depository bank or banks, except that:

12 (1) money pledged to pay bonds may be deposited with
13 the trustee bank named in the trust agreement; and

14 (2) money shall be remitted to the bank of payment for
15 the payment of principal of and interest on bonds.

16 (c) To the extent that money in a depository bank or a
17 trustee bank is not insured by the Federal Deposit Insurance
18 Corporation, the money must be secured in the manner provided by law
19 for the security of county funds.

20 (d) The board shall prescribe the terms of service for
21 depositories.

22 (e) Before designating a depository bank, the board shall
23 issue a notice that:

24 (1) states the time and place at which the board will
25 meet to designate a depository bank or banks; and

26 (2) invites the banks in the district to submit an
27 application to be designated as a depository.

1 (f) The notice must be published one time in a newspaper
2 published in the district and specified by the board.

3 (g) At the time stated in the notice, the board shall:

4 (1) consider the application and the management and
5 condition of each bank that applies; and

6 (2) designate as a depository the bank or banks that:

7 (A) offer the most favorable terms for handling
8 the money; and

9 (B) the board finds have proper management and
10 are in condition to handle the money.

11 (h) Membership on the board of an officer or director of a
12 bank does not disqualify the bank from being designated as a
13 depository.

14 (i) If the board does not receive any applications before
15 the time stated in the notice, or if the board rejects all
16 applications, the board shall designate one or more banks located
17 inside or outside the district on terms that the board finds
18 advantageous to the district. (Acts 53rd Leg., R.S., Ch. 268, Sec.
19 15.)

20 Sec. 9055.202. PROJECTS EXEMPT FROM ASSESSMENT OR TAXATION.
21 The district is not required to pay a tax or assessment on a project
22 or any part of a project. (Acts 53rd Leg., R.S., Ch. 268, Sec. 19
23 (part).)

24 Sec. 9055.203. COLLECTION OF DISTRICT TAXES; CONTRACTS FOR
25 PERFORMANCE OF ADMINISTRATIVE DUTIES. (a) The City of Decatur
26 shall collect all taxes imposed by the district.

27 (b) The district may enter into a contract with the City of

1 Decatur under which municipal employees, including the tax
2 collector and assessor of the municipality, perform administrative
3 duties that might otherwise require the district to employ
4 personnel. (Acts 53rd Leg., R.S., Ch. 268, Secs. 20(a) (part),
5 (b).)

6 SUBCHAPTER F. BONDS

7 Sec. 9055.251. AUTHORITY TO ISSUE BONDS. (a) The district
8 may issue bonds to:

9 (1) provide a source of water supply for
10 municipalities and other users for municipal, domestic, and
11 industrial purposes; or

12 (2) carry out any other power conferred by this
13 chapter.

14 (b) The bonds must be authorized by a board resolution.
15 (Acts 53rd Leg., R.S., Ch. 268, Secs. 9(a) (part), (b) (part), (c),
16 (e) (part).)

17 Sec. 9055.252. FORM OF BONDS. District bonds must be:

18 (1) issued in the district's name;

19 (2) signed by the president or vice president; and

20 (3) attested by the secretary. (Acts 53rd Leg., R.S.,
21 Ch. 268, Sec. 9(b) (part).)

22 Sec. 9055.253. MATURITY. District bonds must mature not
23 later than 40 years after the date of their issuance. (Acts 53rd
24 Leg., R.S., Ch. 268, Sec. 9(b) (part).)

25 Sec. 9055.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM
26 TAXES. (a) Bonds, other than refunding bonds, payable wholly or
27 partly from ad valorem taxes may not be issued unless authorized by

1 a district election held for that purpose at which a majority of the
2 votes cast favor the bond issuance.

3 (b) The board may order an election under this section
4 without a petition. The order must specify:

5 (1) the time and places at which the election will be
6 held;

7 (2) the purpose for which the bonds will be issued;

8 (3) the maximum amount of the bonds;

9 (4) the maximum maturity of the bonds;

10 (5) the form of the ballot; and

11 (6) the presiding judge for each voting place.

12 (c) Notice of the election must be given by publishing a
13 substantial copy of the order calling the election in a newspaper
14 published in the district for two consecutive weeks. The first
15 publication must be not later than the 21st day before the date of
16 the election. (Acts 53rd Leg., R.S., Ch. 268, Secs. 12(a) (part),
17 (b).)

18 Sec. 9055.255. BONDS PAYABLE FROM REVENUE. (a) In this
19 section, "net revenue" means the gross revenue of the district
20 minus the amount necessary to pay the cost of maintaining and
21 operating the district and its property.

22 (b) Bonds issued under this subchapter may be secured under
23 board resolution by a pledge of:

24 (1) all or part of the district's net revenue;

25 (2) the net revenue of one or more contracts made
26 before or after the issuance of the bonds; or

27 (3) other revenue specified by board resolution.

1 (c) The pledge may reserve the right to issue additional
2 bonds on a parity with or subordinate to the bonds being issued,
3 subject to conditions specified by the pledge.

4 (d) Bonds not payable wholly or partly from ad valorem taxes
5 may be issued without an election. (Acts 53rd Leg., R.S., Ch. 268,
6 Secs. 9(a) (part), (d), 12(a) (part).)

7 Sec. 9055.256. BONDS PAYABLE FROM AD VALOREM TAXES. The
8 district may issue bonds payable from:

9 (1) ad valorem taxes imposed on taxable property in
10 the district; or

11 (2) ad valorem taxes and revenue of the district.
12 (Acts 53rd Leg., R.S., Ch. 268, Sec. 9(e) (part).)

13 Sec. 9055.257. TAX AND RATE REQUIREMENTS. (a) If the
14 district issues bonds payable wholly or partly from ad valorem
15 taxes, the board shall impose a tax sufficient to pay the bonds and
16 the interest on the bonds as the bonds and interest become due. The
17 board may adopt the rate of the tax after considering the money
18 received from the pledged revenue available for payment of
19 principal and interest to the extent and in the manner permitted by
20 the resolution authorizing the issuance of the bonds.

21 (b) If the district issues bonds payable wholly or partly
22 from revenue, the board shall set and revise the rates of
23 compensation for water sold and services rendered by the district.

24 (c) For bonds payable wholly from revenue, the rates of
25 compensation must be sufficient to:

26 (1) pay the expense of operating and maintaining the
27 facilities of the district;

1 (2) pay the bonds as they mature and the interest as it
2 accrues; and

3 (3) maintain the reserve and other funds as provided
4 by the resolution authorizing the issuance of the bonds.

5 (d) For bonds payable partly from revenue, the rates of
6 compensation must be sufficient to assure compliance with the
7 resolution authorizing the issuance of the bonds. (Acts 53rd Leg.,
8 R.S., Ch. 268, Secs. 9(e) (part), (f).)

9 Sec. 9055.258. ADDITIONAL SECURITY. (a) Bonds, including
10 refunding bonds, authorized by this subchapter that are not payable
11 wholly from ad valorem taxes may be additionally secured by a deed
12 of trust lien on physical property of the district and all
13 franchises, easements, water rights and appropriation permits,
14 leases, contracts, and all rights appurtenant to the property,
15 vesting in the trustee power to:

- 16 (1) sell the property for payment of the debt;
17 (2) operate the property; and
18 (3) take other action to further secure the bonds.

19 (b) The deed of trust may:

20 (1) contain any provision the board prescribes to
21 secure the bonds and preserve the trust estate;

22 (2) provide for amendment or modification of the deed
23 of trust; and

24 (3) provide for the issuance of bonds to replace lost
25 or mutilated bonds.

26 (c) A purchaser under a sale under the deed of trust:

27 (1) is the owner of the dam or dams and the other

1 property and facilities purchased; and

2 (2) is entitled to maintain and operate the property
3 and facilities. (Acts 53rd Leg., R.S., Ch. 268, Sec. 11.)

4 Sec. 9055.259. USE OF BOND PROCEEDS. (a) The district may
5 set aside an amount of proceeds from the sale of bonds issued under
6 this subchapter for the payment of interest expected to accrue
7 during construction and for one year after construction in a
8 reserve interest and sinking fund. The resolution authorizing the
9 bonds may provide for setting aside and using the proceeds as
10 provided by this subsection.

11 (b) The district may use proceeds from the sale of the bonds
12 to pay any expense necessarily incurred in accomplishing the
13 purposes of the district. (Acts 53rd Leg., R.S., Ch. 268, Sec.
14 9(g).)

15 Sec. 9055.260. APPOINTMENT OF RECEIVER. (a) On default or
16 threatened default in the payment of principal of or interest on
17 bonds issued under this subchapter that are payable wholly or
18 partly from revenue, a court may, on petition of the holders of 25
19 percent of the outstanding bonds of the issue in default or
20 threatened with default, appoint a receiver for the district.

21 (b) The receiver may collect and receive all district income
22 except taxes, employ and discharge district agents and employees,
23 take charge of money on hand, except money received from taxes,
24 unless commingled, and manage the district's proprietary affairs
25 without the consent of or hindrance by the board.

26 (c) The receiver may be authorized to sell or contract for
27 the sale of water or to renew those contracts with the approval of

1 the court that appointed the receiver.

2 (d) The court may vest the receiver with any other power or
3 duty the court finds necessary to protect the bondholders. (Acts
4 53rd Leg., R.S., Ch. 268, Sec. 9(h).)

5 Sec. 9055.261. REFUNDING BONDS. (a) The district may issue
6 refunding bonds to refund outstanding bonds issued under this
7 subchapter and interest on those bonds.

8 (b) Refunding bonds may:

9 (1) be issued to refund bonds of more than one series;

10 (2) combine the pledges for the outstanding bonds for
11 the security of the refunding bonds; or

12 (3) be secured by a pledge of other or additional
13 revenue.

14 (c) The provisions of this subchapter regarding the
15 issuance of other bonds and the remedies of the holders apply to
16 refunding bonds.

17 (d) The comptroller shall register the refunding bonds on
18 surrender and cancellation of the bonds to be refunded.

19 (e) Instead of issuing bonds to be registered on the
20 surrender and cancellation of the bonds to be refunded, the
21 district, in the resolution authorizing the issuance of the
22 refunding bonds, may provide for the sale of the refunding bonds and
23 the deposit of the proceeds in a bank at which the bonds to be
24 refunded are payable. In that case, the refunding bonds may be
25 issued in an amount sufficient to pay the interest on the bonds to
26 be refunded to their option date or maturity date, and the
27 comptroller shall register the refunding bonds without the

1 surrender and cancellation of the bonds to be refunded. (Acts 53rd
2 Leg., R.S., Ch. 268, Sec. 10.)

3 Sec. 9055.262. BONDS EXEMPT FROM TAXATION. A bond issued
4 under this subchapter, the transfer of the bond, and income from the
5 bond, including profits made on the sale of the bond, are exempt
6 from taxation in this state. (Acts 53rd Leg., R.S., Ch. 268, Sec.
7 19 (part).)

8 CHAPTER 9056. WILLOW CREEK WATER CONTROL DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 9056.001. DEFINITIONS

11 Sec. 9056.002. NATURE OF DISTRICT

12 Sec. 9056.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

13 Sec. 9056.004. DISTRICT TERRITORY

14 Sec. 9056.005. APPLICABILITY OF WATER CONTROL AND

15 IMPROVEMENT DISTRICTS LAWS

16 SUBCHAPTER B. BOARD OF DIRECTORS

17 Sec. 9056.051. COMPOSITION OF BOARD

18 Sec. 9056.052. QUALIFICATIONS FOR OFFICE

19 Sec. 9056.053. DIRECTOR'S BOND

20 Sec. 9056.054. FAILURE TO CALL DIRECTOR ELECTION

21 SUBCHAPTER C. POWERS AND DUTIES

22 Sec. 9056.101. GENERAL POWERS

23 Sec. 9056.102. WATER CONTROL AND IMPROVEMENT DISTRICT

24 POWERS

25 Sec. 9056.103. POWERS RELATING TO THE WATER OF WILLOW

26 CREEK; SURVEYS AND PLAN

27 Sec. 9056.104. COST OF RELOCATING OR ALTERING PROPERTY

1 Sec. 9056.105. COOPERATION IN WILDLIFE PROGRAMS
2 Sec. 9056.106. WATERSHED PROTECTION AND FLOOD
3 PREVENTION ACT
4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
5 Sec. 9056.151. TAX METHOD
6 Sec. 9056.152. PAYMENT OF TAX OR ASSESSMENT NOT
7 REQUIRED
8 Sec. 9056.153. ELECTION REQUIRED FOR FEDERAL LOAN
9 Sec. 9056.154. MAINTENANCE TAX ELECTION PROCEDURES
10 Sec. 9056.155. SPECIFICATION OF MAINTENANCE TAX RATE
11 AND METHOD
12 Sec. 9056.156. USE OF MAINTENANCE TAX PROCEEDS
13 Sec. 9056.157. APPROVAL OF AND FUNDING FOR CERTAIN
14 PLANS FOR WORKS AND IMPROVEMENTS
15 SUBCHAPTER E. BONDS
16 Sec. 9056.201. AUTHORITY TO ISSUE BONDS
17 Sec. 9056.202. BOND ELECTION REQUIRED
18 Sec. 9056.203. BONDS EXEMPT FROM TAXATION
19 CHAPTER 9056. WILLOW CREEK WATER CONTROL DISTRICT
20 SUBCHAPTER A. GENERAL PROVISIONS
21 Sec. 9056.001. DEFINITIONS. In this chapter:
22 (1) "Board" means the district's board of directors.
23 (2) "Director" means a board member.
24 (3) "District" means the Willow Creek Water Control
25 District. (Acts 60th Leg., R.S., Ch. 638, Sec. 1 (part); New.)
26 Sec. 9056.002. NATURE OF DISTRICT. The district is a
27 conservation and reclamation district in Runnels and Tom Green

1 Counties. (Acts 60th Leg., R.S., Ch. 638, Sec. 1 (part).)

2 Sec. 9056.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
3 All territory included in the district will benefit from the works
4 and projects accomplished by the district under the powers
5 conferred by Section 59, Article XVI, Texas Constitution.

6 (b) The district is essential to accomplish the purposes of
7 Section 59, Article XVI, Texas Constitution.

8 (c) The accomplishment of the purposes stated in this
9 chapter will benefit the people of this state and improve their
10 property and industries.

11 (d) The district in carrying out the purposes of this
12 chapter will be performing an essential public function under the
13 Texas Constitution. (Acts 60th Leg., R.S., Ch. 638, Secs. 1 (part),
14 2(a), 4(a) (part).)

15 Sec. 9056.004. DISTRICT TERRITORY. (a) The district is
16 composed of the territory described by Section 2, Chapter 638, Acts
17 of the 60th Legislature, Regular Session, 1967, as that territory
18 may have been modified under:

- 19 (1) Subchapter O, Chapter 51, Water Code;
20 (2) Subchapter J, Chapter 49, Water Code; or
21 (3) other law.

22 (b) The boundaries and field notes of the district form a
23 closure. A mistake in the field notes or in copying the field notes
24 in the legislative process does not affect:

- 25 (1) the district's organization, existence, or
26 validity;
27 (2) the district's right to issue any type or kind of

1 bond or to pay the principal of and interest on the bond;

2 (3) the district's right to impose a tax; or

3 (4) the legality or operation of the district or the
4 board. (Acts 60th Leg., R.S., Ch. 638, Secs. 1 (part), 2(c); New.)

5 Sec. 9056.005. APPLICABILITY OF WATER CONTROL AND
6 IMPROVEMENT DISTRICTS LAWS. Except as provided by this chapter,
7 the general laws pertaining to water control and improvement
8 districts, including Chapters 49 and 51, Water Code, govern the
9 district. (Acts 60th Leg., R.S., Ch. 638, Sec. 14; New.)

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 9056.051. COMPOSITION OF BOARD. The board is composed
12 of five elected directors. (Acts 60th Leg., R.S., Ch. 638, Sec.
13 15(g) (part); Acts 67th Leg., R.S., Ch. 475, Sec. 2 (part).)

14 Sec. 9056.052. QUALIFICATIONS FOR OFFICE. (a) Each
15 director of the district must:

16 (1) be a landowner within the district; and

17 (2) reside in Runnels or Tom Green County.

18 (b) A director must maintain compliance with the
19 requirements of Subsection (a) during the director's tenure in
20 office or vacate that office. (Acts 60th Leg., R.S., Ch. 638, Sec.
21 15(c).)

22 Sec. 9056.053. DIRECTOR'S BOND. Each director shall give
23 bond in the amount of \$5,000 for the faithful performance of the
24 director's duties. (Acts 60th Leg., R.S., Ch. 638, Sec. 15(d)
25 (part).)

26 Sec. 9056.054. FAILURE TO CALL DIRECTOR ELECTION. Failure
27 to call a director election does not affect the legal status of the

1 district, the board, or a director or the right of the board to act
2 or function, and the directors continue to serve until an election
3 is held and succeeding directors have been elected or appointed and
4 have qualified. (Acts 60th Leg., R.S., Ch. 638, Sec. 15(g).)

5 SUBCHAPTER C. POWERS AND DUTIES

6 Sec. 9056.101. GENERAL POWERS. The district may exercise
7 the rights, privileges, and functions specified by this chapter.
8 (Acts 60th Leg., R.S., Ch. 638, Sec. 1 (part).)

9 Sec. 9056.102. WATER CONTROL AND IMPROVEMENT DISTRICT
10 POWERS. The district has the rights, powers, privileges, and
11 duties provided by the general laws of this state applicable to a
12 water control and improvement district created under Section 59,
13 Article XVI, Texas Constitution, including the power to:

14 (1) construct, acquire, improve, maintain, and repair
15 a dam or other structure; and

16 (2) acquire, by eminent domain or otherwise, land,
17 easements, equipment, or other property that may be needed to use,
18 control, and distribute any water that may be impounded, diverted,
19 or controlled by the district. (Acts 60th Leg., R.S., Ch. 638,
20 Secs. 5 (part), 7(a).)

21 Sec. 9056.103. POWERS RELATING TO THE WATER OF WILLOW
22 CREEK; SURVEYS AND PLAN. (a) The district shall conduct
23 preliminary surveys and develop a plan for the control and use of
24 the water of Willow Creek to the end that improvements on any one
25 part of the watershed will be mechanically and economically related
26 to the improvements of the entire watershed.

27 (b) On completion of the surveys and plan and adoption of

1 the surveys and plan by the board, a certified copy of the surveys
2 and plan shall be filed for informational purposes with the Texas
3 Commission on Environmental Quality. (Acts 60th Leg., R.S., Ch.
4 638, Sec. 3.)

5 Sec. 9056.104. COST OF RELOCATING OR ALTERING PROPERTY.

6 (a) In this section, "sole expense" means the actual cost of
7 relocating, raising, lowering, rerouting, changing the grade of, or
8 altering the construction of a facility described by Subsection (b)
9 in providing comparable replacement without enhancement of the
10 facility, after deducting from that cost the net salvage value
11 derived from the old facility.

12 (b) If the district's exercise of the power of eminent
13 domain, the power of relocation, or any other power granted by this
14 chapter makes necessary relocating, raising, rerouting, changing
15 the grade of, or altering the construction of a highway, railroad,
16 electric transmission line, telephone or telegraph property or
17 facility, or pipeline, the necessary action shall be accomplished
18 at the sole expense of the district. (Acts 60th Leg., R.S., Ch.
19 638, Sec. 7(b).)

20 Sec. 9056.105. COOPERATION IN WILDLIFE PROGRAMS. The
21 district may cooperate with state, federal, and other agencies and
22 groups in wildlife programs that are:

23 (1) not inconsistent with the purposes of the district
24 under this chapter; and

25 (2) designed to improve the general habitat of
26 wildlife and promote the propagation of wildlife. (Acts 60th Leg.,
27 R.S., Ch. 638, Sec. 13.)

1 Sec. 9056.106. WATERSHED PROTECTION AND FLOOD PREVENTION
2 ACT. Subject to Section 9056.153, the district has the power
3 necessary to fully qualify for and gain the full benefits of the
4 Watershed Protection and Flood Prevention Act (16 U.S.C. Section
5 1001 et seq.), including:

6 (1) all powers necessary to carry out the projects,
7 works, and improvements contemplated by the Watershed Protection
8 and Flood Prevention Act;

9 (2) the power to secure a loan or loans from the proper
10 agencies of the federal government for the purpose of defraying the
11 costs and expenses of the district in connection with carrying out
12 its projects, works, and improvements under the Watershed
13 Protection and Flood Prevention Act; and

14 (3) if necessary, the power to issue bonds as
15 collateral for a loan described by Subdivision (2). (Acts 60th
16 Leg., R.S., Ch. 638, Sec. 6 (part); New.)

17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

18 Sec. 9056.151. TAX METHOD. (a) The district shall use the
19 ad valorem plan of taxation, and taxes imposed by the district shall
20 be on the ad valorem basis.

21 (b) A hearing on a plan of taxation is not required. (Acts
22 60th Leg., R.S., Ch. 638, Sec. 4(c).)

23 Sec. 9056.152. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.
24 The district is not required to pay a tax or assessment on a project
25 or any part of a project. (Acts 60th Leg., R.S., Ch. 638, Sec. 4(a)
26 (part).)

27 Sec. 9056.153. ELECTION REQUIRED FOR FEDERAL LOAN. The

1 district may not consummate a loan from the federal government
2 unless the loan is authorized by a majority of the votes cast in a
3 district election. (Acts 60th Leg., R.S., Ch. 638, Sec. 9 (part).)

4 Sec. 9056.154. MAINTENANCE TAX ELECTION PROCEDURES. A
5 maintenance tax election shall be held and notice of the election
6 shall be given in the manner required by general law for a bond
7 election. (Acts 60th Leg., R.S., Ch. 638, Sec. 12(b) (part).)

8 Sec. 9056.155. SPECIFICATION OF MAINTENANCE TAX RATE AND
9 METHOD. In calling a maintenance tax election, the board shall
10 specify:

11 (1) the maximum tax rate that may be imposed in any
12 year; and

13 (2) that the tax will be imposed on an ad valorem
14 basis. (Acts 60th Leg., R.S., Ch. 638, Sec. 12(b) (part).)

15 Sec. 9056.156. USE OF MAINTENANCE TAX PROCEEDS. (a) The
16 district may spend maintenance tax proceeds for:

17 (1) an easement or right-of-way;

18 (2) any purpose for which a district may spend bond
19 proceeds; and

20 (3) maintenance purposes.

21 (b) The district may place surplus maintenance tax proceeds
22 not needed for maintenance purposes into the sinking funds for
23 outstanding district bonds.

24 (c) The board's determination to spend district maintenance
25 tax proceeds is final and is not subject to judicial review, except
26 on the grounds of fraud, palpable error, or gross abuse of
27 discretion. (Acts 60th Leg., R.S., Ch. 638, Sec. 12(c).)

1 Sec. 9056.157. APPROVAL OF AND FUNDING FOR CERTAIN PLANS
2 FOR WORKS AND IMPROVEMENTS. (a) In this section, "commission"
3 means the Texas Commission on Environmental Quality.

4 (b) This section applies only to plans contemplated by the
5 district for works and improvements, or amendments to the plans,
6 that are prepared by the Natural Resources Conservation Service of
7 the United States Department of Agriculture and approved by the
8 district's board.

9 (c) An engineer's report covering the plans and
10 improvements to be constructed, and the maps, plats, profiles, and
11 data fully showing and explaining the plans and improvements, are
12 not required to be filed in the district office before an election
13 is held to authorize the issuance of bonds for the works and
14 improvements. The plans and specifications, engineering reports,
15 profiles, maps, and other data, and subsequent amendments to those
16 items, are not required to be approved by the commission before the
17 bonds are issued.

18 (d) Before the district may spend any money for the
19 construction of any works and improvements, the commission must
20 approve the portion of the works and improvements to be
21 constructed. The commission's advance approval for the entire
22 project contemplated by the district is not required. The
23 commission may approve on a separate or individual basis the
24 portion of the project or works and improvements:

- 25 (1) to be constructed at a particular time; and
26 (2) on which plans and specifications of the Natural
27 Resources Conservation Service have been prepared and submitted by

1 the board to the commission. (Acts 60th Leg., R.S., Ch. 638, Sec.
2 10; New.)

3 SUBCHAPTER E. BONDS

4 Sec. 9056.201. AUTHORITY TO ISSUE BONDS. Subject to
5 Section 9056.202, the district may issue bonds, in the manner
6 provided by general law for water control and improvement
7 districts, to:

8 (1) provide dams, structures, projects, and works of
9 improvement for flood prevention, the conservation and development
10 of water, and for other necessary plants, facilities, and equipment
11 in connection therewith and for the improvement, repair, and
12 operation of same;

13 (2) carry out any other power provided by this chapter
14 or by Chapter 49 or 51, Water Code; and

15 (3) pay all costs, charges, and expenses of the
16 district. (Acts 60th Leg., R.S., Ch. 638, Sec. 8; New.)

17 Sec. 9056.202. BOND ELECTION REQUIRED. The district may
18 not issue bonds unless the bonds are authorized by a majority of the
19 votes cast in a district election. (Acts 60th Leg., R.S., Ch. 638,
20 Sec. 9 (part).)

21 Sec. 9056.203. BONDS EXEMPT FROM TAXATION. A bond issued
22 under this chapter, the transfer of the bond, and income from the
23 bond, including profits made on the sale of the bond, are exempt
24 from taxation in this state. (Acts 60th Leg., R.S., Ch. 638, Sec.
25 4(a) (part).)

1 CHAPTER 9057. MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT

2 NO. 2

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 9057.001. DEFINITIONS

5 Sec. 9057.002. NATURE OF DISTRICT

6 Sec. 9057.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

7 Sec. 9057.004. DISTRICT TERRITORY

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 9057.051. COMPOSITION OF BOARD

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 9057.101. WATER CONTROL AND IMPROVEMENT DISTRICT

12 POWERS

13 Sec. 9057.102. ACQUISITION OF PROPERTY; LIMIT ON

14 EMINENT DOMAIN POWER

15 Sec. 9057.103. COST OF RELOCATING PROPERTY

16 SUBCHAPTER D. BONDS

17 Sec. 9057.151. AUTHORITY TO ISSUE BONDS; BOND ELECTION

18 Sec. 9057.152. CERTAIN BOND COVENANTS AUTHORIZED

19 CHAPTER 9057. MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT

20 NO. 2

21 SUBCHAPTER A. GENERAL PROVISIONS

22 Sec. 9057.001. DEFINITIONS. In this chapter:

23 (1) "Board" means the district's board of directors.

24 (2) "District" means the Medina County Water Control
25 and Improvement District No. 2. (Acts 53rd Leg., R.S., Ch. 198,
26 Sec. 1 (part); New.)

27 Sec. 9057.002. NATURE OF DISTRICT. The district is:

1 (1) a conservation and reclamation district in Medina
2 County under Section 59, Article XVI, Texas Constitution; and

3 (2) a municipal corporation. (Acts 53rd Leg., R.S.,
4 Ch. 198, Secs. 1 (part), 7 (part).)

5 Sec. 9057.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
6 The district is created to serve a public use and benefit.

7 (b) All land included in the boundaries of the district will
8 benefit from that inclusion.

9 (c) The district is essential to accomplish the purposes of
10 Section 59, Article XVI, Texas Constitution. (Acts 53rd Leg., R.S.,
11 Ch. 198, Secs. 4 (part), 7 (part).)

12 Sec. 9057.004. DISTRICT TERRITORY. The district is
13 composed of the territory described by Section 1, Chapter 198, Acts
14 of the 53rd Legislature, Regular Session, 1953, as that territory
15 may have been modified under:

16 (1) Subchapter O, Chapter 51, Water Code;

17 (2) Subchapter J, Chapter 49, Water Code; or

18 (3) other law. (New.)

19 SUBCHAPTER B. BOARD OF DIRECTORS

20 Sec. 9057.051. COMPOSITION OF BOARD. The board is composed
21 of five elected directors. (Acts 53rd Leg., R.S., Ch. 198, Sec. 3
22 (part).)

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 9057.101. WATER CONTROL AND IMPROVEMENT DISTRICT
25 POWERS. The district has the rights, powers, privileges, and
26 duties provided by general law applicable to a water control and
27 improvement district created under Section 59, Article XVI, Texas

1 Constitution, including Chapters 49 and 51, Water Code. (Acts 53rd
2 Leg., R.S., Ch. 198, Sec. 2 (part).)

3 Sec. 9057.102. ACQUISITION OF PROPERTY; LIMIT ON EMINENT
4 DOMAIN POWER. (a) The district may acquire property that is
5 necessary to accomplish the objectives of the district.

6 (b) To facilitate the acquisition of property, the district
7 may exercise the power of eminent domain available to water control
8 and improvement districts under general law.

9 (c) The powers granted in this section apply only in Medina
10 County. (Acts 53rd Leg., R.S., Ch. 198, Sec. 6 (part).)

11 Sec. 9057.103. COST OF RELOCATING PROPERTY. If the
12 district's exercise of a power granted by this chapter makes
13 necessary the relocation of a railroad line or right-of-way, the
14 district shall pay the cost of the relocation and any actual and
15 reasonable damage incurred in changing and adjusting the railroad
16 lines and grades. (Acts 53rd Leg., R.S., Ch. 198, Sec. 6 (part).)

17 SUBCHAPTER D. BONDS

18 Sec. 9057.151. AUTHORITY TO ISSUE BONDS; BOND ELECTION.

19 (a) The district may issue bonds pursuant to a board order or
20 resolution adopted after the proposition authorizing the bonds is:

- 21 (1) submitted to district voters at an election; and
22 (2) adopted by a majority of the district voters
23 voting at the election.

24 (b) The district may issue bonds under this section for any
25 purpose permitted to water control and improvement districts and in
26 the manner and to the extent provided by the general laws governing
27 water control and improvement districts. (Acts 53rd Leg., R.S., Ch.

1 198, Sec. 5 (part).)

2 Sec. 9057.152. CERTAIN BOND COVENANTS AUTHORIZED. An order
3 or resolution authorizing the issuance of district bonds may
4 contain any covenant the board considers necessary to ensure:

5 (1) the creation and maintenance of proper reserves;
6 and

7 (2) the payment of the principal of and interest on the
8 bonds. (Acts 53rd Leg., R.S., Ch. 198, Sec. 5 (part).)

9 CHAPTER 9059. RIO GRANDE PALMS WATER DISTRICT

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 9059.001. DEFINITIONS

12 Sec. 9059.002. NATURE OF DISTRICT

13 Sec. 9059.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

14 Sec. 9059.004. DISTRICT TERRITORY

15 SUBCHAPTER B. BOARD OF DIRECTORS

16 Sec. 9059.051. COMPOSITION OF BOARD

17 Sec. 9059.052. QUALIFICATION FOR OFFICE

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 9059.101. WATER CONTROL AND IMPROVEMENT DISTRICT

20 POWERS

21 Sec. 9059.102. ACQUISITION OF PROPERTY

22 Sec. 9059.103. LIMIT ON EMINENT DOMAIN POWER

23 Sec. 9059.104. COST OF RELOCATING OR ALTERING PROPERTY

24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

25 Sec. 9059.151. MAINTENANCE TAX

26 SUBCHAPTER E. BONDS

27 Sec. 9059.201. AUTHORITY TO ISSUE BONDS

- 1 Sec. 9059.202. EXCHANGING BONDS FOR PROPERTY
- 2 Sec. 9059.203. CERTAIN BOND COVENANTS AUTHORIZED
- 3 Sec. 9059.204. MATURITY
- 4 Sec. 9059.205. USE OF BOND PROCEEDS
- 5 Sec. 9059.206. BONDS SECURED BY AD VALOREM TAXES
- 6 Sec. 9059.207. REFUNDING BONDS

7 CHAPTER 9059. RIO GRANDE PALMS WATER DISTRICT

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 9059.001. DEFINITIONS. In this chapter:

- 10 (1) "Board" means the district's board of directors.
- 11 (2) "Director" means a member of the board.
- 12 (3) "District" means the Rio Grande Palms Water
- 13 District. (Acts 57th Leg., R.S., Ch. 324, Sec. 1 (part); New.)

14 Sec. 9059.002. NATURE OF DISTRICT. The district is:

- 15 (1) a conservation and reclamation district in Cameron
- 16 County under Section 59, Article XVI, Texas Constitution; and
- 17 (2) a municipal corporation. (Acts 57th Leg., R.S.,
- 18 Ch. 324, Secs. 1 (part), 9 (part).)

19 Sec. 9059.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

20 The district is essential to accomplish the purposes of Section 59,

21 Article XVI, Texas Constitution, including the conservation and

22 utilization of water.

23 (b) All land included in the district will benefit from that

24 inclusion. (Acts 57th Leg., R.S., Ch. 324, Sec. 9 (part).)

25 Sec. 9059.004. DISTRICT TERRITORY. (a) The district is

26 composed of the territory described by Section 1, Chapter 324, Acts

27 of the 57th Legislature, Regular Session, 1961, as that territory

1 may have been modified under:

2 (1) Subsection (b) or its predecessor statute, Section
3 1, Chapter 324, Acts of the 57th Legislature, Regular Session,
4 1961;

5 (2) Subchapter O, Chapter 51, Water Code;

6 (3) Subchapter J, Chapter 49, Water Code; or

7 (4) other law.

8 (b) The Commissioners Court of Cameron County shall
9 redefine the boundaries of the district contained in Section 1,
10 Chapter 324, Acts of the 57th Legislature, Regular Session, 1961,
11 to correct any error or omission in those boundaries. (Acts 57th
12 Leg., R.S., Ch. 324, Sec. 1 (part); New.)

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 9059.051. COMPOSITION OF BOARD. The board is composed
15 of five elected directors. (Acts 57th Leg., R.S., Ch. 324, Sec. 3
16 (part).)

17 Sec. 9059.052. QUALIFICATION FOR OFFICE. (a) A director
18 must own land in the district.

19 (b) A director is not required to reside in the district.
20 (Acts 57th Leg., R.S., Ch. 324, Sec. 3 (part).)

21 SUBCHAPTER C. POWERS AND DUTIES

22 Sec. 9059.101. WATER CONTROL AND IMPROVEMENT DISTRICT
23 POWERS. The district has the rights, powers, privileges, and
24 duties provided by general law applicable to a water control and
25 improvement district created under Section 59, Article XVI, Texas
26 Constitution, including Chapters 49 and 51, Water Code. (Acts 57th
27 Leg., R.S., Ch. 324, Sec. 2 (part); New.)

1 Sec. 9059.102. ACQUISITION OF PROPERTY. The district may
2 acquire property located inside or outside the district that the
3 board considers necessary to accomplish the district's objectives.
4 (Acts 57th Leg., R.S., Ch. 324, Sec. 6 (part).)

5 Sec. 9059.103. LIMIT ON EMINENT DOMAIN POWER. The district
6 may not exercise the power of eminent domain outside the district.
7 (Acts 57th Leg., R.S., Ch. 324, Sec. 9 (part).)

8 Sec. 9059.104. COST OF RELOCATING OR ALTERING PROPERTY.

9 (a) In this section, "sole expense" means the actual cost of
10 relocating, raising, lowering, rerouting, changing the grade of, or
11 altering the construction of a facility described by Subsection (b)
12 in providing comparable replacement without enhancement of the
13 facility, after deducting from that cost the net salvage value
14 derived from the old facility.

15 (b) If the district's exercise of the power of eminent
16 domain, the power of relocation, or any other power granted by this
17 chapter makes necessary relocating, raising, rerouting, changing
18 the grade of, or altering the construction of a highway, railroad,
19 electric transmission line, telephone or telegraph property or
20 facility, or pipeline, the necessary action shall be accomplished
21 at the sole expense of the district. (Acts 57th Leg., R.S., Ch.
22 324, Sec. 10.)

23 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

24 Sec. 9059.151. MAINTENANCE TAX. The board may impose an ad
25 valorem tax on all taxable property in the district for the
26 maintenance and operation of district works and facilities if the
27 tax is authorized by an election held as provided by law relating to

1 water control and improvement district bond elections. (Acts 57th
2 Leg., R.S., Ch. 324, Sec. 7.)

3 SUBCHAPTER E. BONDS

4 Sec. 9059.201. AUTHORITY TO ISSUE BONDS. (a) The district
5 may issue bonds pursuant to a resolution adopted by the board if a
6 majority of district voters voting at an election vote to adopt the
7 proposition authorizing the bonds.

8 (b) The district may issue bonds for any purpose permitted
9 to a water control and improvement district, including:

10 (1) the improvement of rivers, creeks, streams,
11 arroyos, and resacas, to prevent overflow, to furnish access to
12 land in the district, to permit navigation of the water or
13 irrigation of land in the district, or in aid of those purposes; or

14 (2) the acquisition of water rights, the construction
15 or acquisition by purchase or other means, and maintenance of
16 pools, lakes, reservoirs, dams, pipelines, canals and waterways,
17 pumps, pump houses, and all other useful equipment, machinery, and
18 facilities, for the purpose or in aid of irrigation, drainage,
19 conservation, or navigation, including the purchase of an existing
20 irrigation or conservation system. (Acts 57th Leg., R.S., Ch. 324,
21 Sec. 4 (part).)

22 Sec. 9059.202. EXCHANGING BONDS FOR PROPERTY. The district
23 may exchange bonds for property acquired for the use and benefit of
24 the district. (Acts 57th Leg., R.S., Ch. 324, Sec. 4 (part).)

25 Sec. 9059.203. CERTAIN BOND COVENANTS AUTHORIZED. A
26 resolution authorizing the issuance of district bonds may contain
27 any covenant the board considers necessary to ensure:

1 (1) the creation and maintenance of proper reserves;
2 and

3 (2) the payment of the principal of and interest on the
4 bonds. (Acts 57th Leg., R.S., Ch. 324, Sec. 4 (part).)

5 Sec. 9059.204. MATURITY. District bonds, including
6 refunding bonds, must mature not later than 40 years after the date
7 of their issuance. (Acts 57th Leg., R.S., Ch. 324, Sec. 4 (part).)

8 Sec. 9059.205. USE OF BOND PROCEEDS. The district may
9 appropriate and pay from the proceeds of the sale of bonds the
10 interest to accrue on the bonds for a period not to exceed three
11 years from their date. (Acts 57th Leg., R.S., Ch. 324, Sec. 4
12 (part).)

13 Sec. 9059.206. BONDS SECURED BY AD VALOREM TAXES. (a) If
14 bonds have been voted, the board shall impose a continuing ad
15 valorem tax on all property in the district sufficient:

16 (1) to pay the principal and interest on the bonds as
17 the principal and interest respectively mature;

18 (2) to create and maintain any reserve required by the
19 resolution or resolutions authorizing the issuance of the bonds;

20 (3) to pay the expense of assessing and collecting the
21 tax; and

22 (4) for anticipated delinquencies in the tax payments.

23 (b) The board annually shall determine and set or cause to
24 be determined and set the rate of the ad valorem tax to be imposed
25 under this section. (Acts 57th Leg., R.S., Ch. 324, Sec. 5.)

26 Sec. 9059.207. REFUNDING BONDS. (a) The district may issue
27 refunding bonds without an election.

1 (b) District bonds may be refunded by:

2 (1) the issuance and delivery to holders of refunding
3 bonds in lieu of the outstanding bonds; or

4 (2) the sale of refunding bonds and the use of the
5 proceeds for retiring the outstanding bonds. (Acts 57th Leg.,
6 R.S., Ch. 324, Sec. 4 (part).)

7 CHAPTER 9060. SAN LEON MUNICIPAL UTILITY DISTRICT OF GALVESTON
8 COUNTY, TEXAS

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 9060.001. DEFINITIONS

11 Sec. 9060.002. NATURE OF DISTRICT

12 Sec. 9060.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

13 Sec. 9060.004. APPLICABILITY OF CERTAIN STATUTES;

14 DISSOLUTION OF DISTRICT

15 SUBCHAPTER B. DISTRICT TERRITORY

16 Sec. 9060.051. DISTRICT TERRITORY

17 Sec. 9060.052. ADDITION OF LAND TO DISTRICT

18 SUBCHAPTER C. BOARD OF DIRECTORS

19 Sec. 9060.101. COMPOSITION OF BOARD

20 SUBCHAPTER D. POWERS AND DUTIES

21 Sec. 9060.151. WATER CONTROL AND IMPROVEMENT DISTRICT

22 POWERS

23 Sec. 9060.152. ACQUISITION OF IMPROVEMENTS

24 Sec. 9060.153. COST OF RELOCATING OR ALTERING PROPERTY

25 Sec. 9060.154. LIMIT ON EMINENT DOMAIN POWER

26 Sec. 9060.155. DURATION OF CONTRACT FOR WATER PURCHASE

27 OR SALE

1 Sec. 9060.156. INSTALLATION OF STREETLIGHTS

2 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

3 Sec. 9060.201. TAX METHOD

4 CHAPTER 9060. SAN LEON MUNICIPAL UTILITY DISTRICT OF GALVESTON

5 COUNTY, TEXAS

6 SUBCHAPTER A. GENERAL PROVISIONS

7 Sec. 9060.001. DEFINITIONS. In this chapter:

8 (1) "Board" means the district's board of directors.

9 (2) "District" means the San Leon Municipal Utility
10 District of Galveston County, Texas. (Acts 59th Leg., R.S., Ch.
11 520, Sec. 1 (part); New.)

12 Sec. 9060.002. NATURE OF DISTRICT. The district is:

13 (1) a conservation and reclamation district in
14 Galveston County under Section 59, Article XVI, Texas Constitution;
15 and

16 (2) a municipal corporation. (Acts 59th Leg., R.S.,
17 Ch. 520, Secs. 1 (part), 7 (part).)

18 Sec. 9060.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
19 The district is created to serve a public use and benefit.

20 (b) All land and other property included in the district
21 will benefit from the creation of the district and the improvements
22 the district will purchase, construct, or otherwise acquire.

23 (c) The district is essential to accomplish the purposes of
24 Section 59, Article XVI, Texas Constitution. (Acts 59th Leg.,
25 R.S., Ch. 520, Secs. 6(a) (part), 7 (part).)

26 Sec. 9060.004. APPLICABILITY OF CERTAIN STATUTES;
27 DISSOLUTION OF DISTRICT. (a) Except as provided by Subsection (b),

1 Sections 51.781-51.791, Water Code, do not apply to the district.

2 (b) The district may be dissolved by the board in accordance
3 with Sections 51.781-51.791, Water Code. (Acts 59th Leg., R.S.,
4 Ch. 520, Secs. 2 (part), 4 (part); New.)

5 SUBCHAPTER B. DISTRICT TERRITORY

6 Sec. 9060.051. DISTRICT TERRITORY. The district is
7 composed of the territory described by Section 1, Chapter 520, Acts
8 of the 59th Legislature, Regular Session, 1965, as that territory
9 may have been modified under:

- 10 (1) Subchapter O, Chapter 51, Water Code;
11 (2) Subchapter J, Chapter 49, Water Code;
12 (3) Section 9060.052 or its predecessor statute,
13 former Section 4, Chapter 520, Acts of the 59th Legislature,
14 Regular Session, 1965; or
15 (4) other law. (New.)

16 Sec. 9060.052. ADDITION OF LAND TO DISTRICT. The district
17 may not add land to the district unless:

- 18 (1) an owner of land adjacent or contiguous to the
19 district requests in writing that the district add land;
20 (2) the owner of the land to be added consents to the
21 addition; and
22 (3) the land is adjacent or contiguous to the district
23 when added. (Acts 59th Leg., R.S., Ch. 520, Sec. 4 (part).)

24 SUBCHAPTER C. BOARD OF DIRECTORS

25 Sec. 9060.101. COMPOSITION OF BOARD. The board is composed
26 of five elected directors. (Acts 59th Leg., R.S., Ch. 520, Sec. 3
27 (part).)

1 SUBCHAPTER D. POWERS AND DUTIES

2 Sec. 9060.151. WATER CONTROL AND IMPROVEMENT DISTRICT
3 POWERS. The district has the rights, powers, privileges, and
4 duties provided by general law applicable to a water control and
5 improvement district created under Section 59, Article XVI, Texas
6 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th
7 Leg., R.S., Ch. 520, Sec. 2 (part).)

8 Sec. 9060.152. ACQUISITION OF IMPROVEMENTS. The district
9 may make, construct, or otherwise acquire improvements inside or
10 outside the district that are necessary or convenient to carry out a
11 power granted to the district under this chapter or a general law
12 described by Section 9060.151. (Acts 59th Leg., R.S., Ch. 520, Sec.
13 2 (part).)

14 Sec. 9060.153. COST OF RELOCATING OR ALTERING PROPERTY.
15 (a) In this section, "sole expense" means the actual cost of
16 relocating, raising, lowering, rerouting, changing the grade of, or
17 altering the construction of a facility described by Subsection (b)
18 in providing comparable replacement without enhancement of the
19 facility, after deducting from that cost the net salvage value
20 derived from the old facility.

21 (b) If the district's exercise of the power of eminent
22 domain, power of relocation, or any other power granted by this
23 chapter makes necessary relocating, raising, rerouting, changing
24 the grade of, or altering the construction of a highway, railroad,
25 electric transmission line, telephone or telegraph property or
26 facility, or pipeline, the necessary action shall be accomplished
27 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.

1 520, Sec. 2 (part).)

2 Sec. 9060.154. LIMIT ON EMINENT DOMAIN POWER. The district
3 may not exercise the power of eminent domain outside the district.
4 (Acts 59th Leg., R.S., Ch. 520, Sec. 2 (part).)

5 Sec. 9060.155. DURATION OF CONTRACT FOR WATER PURCHASE OR
6 SALE. A district contract for the purchase or sale of water may not
7 exceed 40 years. (Acts 59th Leg., R.S., Ch. 520, Sec. 2 (part).)

8 Sec. 9060.156. INSTALLATION OF STREETLIGHTS. (a) On
9 approval by a majority of the voters of the district voting at an
10 election held for that purpose, the district may:

11 (1) install, operate, and maintain street lighting in
12 a public utility easement or public right-of-way inside the
13 district; and

14 (2) assess the cost of the installation, operation,
15 and maintenance of the street lighting as an additional charge in
16 the monthly billings of the district's customers.

17 (b) The district may not use money from taxes or bonds
18 supported by taxes for a purpose described by this section.

19 (c) This section does not authorize the district to install,
20 operate, or maintain street lighting on a right-of-way that is part
21 of the designated state highway system. (Acts 59th Leg., R.S., Ch.
22 520, Sec. 2A.)

23 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

24 Sec. 9060.201. TAX METHOD. (a) The district shall use the
25 ad valorem basis or plan of taxation.

26 (b) The board is not required to hold a hearing on the
27 adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 520,

- 1 Sec. 6(b).)
- 2 CHAPTER 9061. TATTOR ROAD MUNICIPAL DISTRICT
- 3 SUBCHAPTER A. GENERAL PROVISIONS
- 4 Sec. 9061.001. DEFINITIONS
- 5 Sec. 9061.002. NATURE OF DISTRICT
- 6 Sec. 9061.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 7 Sec. 9061.004. DISTRICT TERRITORY
- 8 Sec. 9061.005. EXPANSION OF DISTRICT
- 9 Sec. 9061.006. HEARINGS FOR EXCLUSION OF LAND
- 10 Sec. 9061.007. STATE POLICY REGARDING WASTE DISPOSAL
- 11 SUBCHAPTER B. BOARD OF DIRECTORS
- 12 Sec. 9061.051. COMPOSITION OF BOARD
- 13 Sec. 9061.052. APPOINTMENT OF TREASURER
- 14 Sec. 9061.053. DIRECTOR AND TREASURER BONDS
- 15 Sec. 9061.054. BOARD VACANCY
- 16 Sec. 9061.055. BOARD PRESIDENT'S POWER TO EXECUTE
- 17 CONTRACTS
- 18 Sec. 9061.056. ABSENCE OR INACTION OF BOARD PRESIDENT
- 19 Sec. 9061.057. DISTRICT OFFICE
- 20 SUBCHAPTER C. POWERS AND DUTIES
- 21 Sec. 9061.101. WATER CONTROL AND IMPROVEMENT DISTRICT
- 22 POWERS
- 23 Sec. 9061.102. ADDITIONAL POWERS
- 24 Sec. 9061.103. LIMIT ON EMINENT DOMAIN
- 25 Sec. 9061.104. COST OF RELOCATING OR ALTERING PROPERTY
- 26 Sec. 9061.105. NOTICE OF ELECTION

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

- 2 Sec. 9061.151. TAX METHOD
- 3 Sec. 9061.152. DISTRICT ACCOUNTS
- 4 Sec. 9061.153. COPY OF AUDIT REPORT
- 5 Sec. 9061.154. PAYMENT OF TAX OR ASSESSMENT NOT
- 6 REQUIRED
- 7 Sec. 9061.155. DEPOSITORY

8 SUBCHAPTER E. BONDS

- 9 Sec. 9061.201. ISSUANCE OF BONDS
- 10 Sec. 9061.202. ADDITIONAL SECURITY
- 11 Sec. 9061.203. TRUST INDENTURE
- 12 Sec. 9061.204. ORDER OR RESOLUTION AUTHORIZING
- 13 ISSUANCE OF CERTAIN BONDS
- 14 Sec. 9061.205. USE OF BOND PROCEEDS

15 CHAPTER 9061. TATTOR ROAD MUNICIPAL DISTRICT

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 9061.001. DEFINITIONS. In this chapter:

- 18 (1) "Board" means the district's board of directors.
- 19 (2) "Director" means a member of the board.
- 20 (3) "District" means the Tattor Road Municipal

21 District. (Acts 61st Leg., R.S., Ch. 846, Sec. 1 (part); New.)

22 Sec. 9061.002. NATURE OF DISTRICT. The district is a
23 conservation and reclamation district in Harris County created
24 under Section 59, Article XVI, Texas Constitution. (Acts 61st
25 Leg., R.S., Ch. 846, Sec. 1 (part).)

26 Sec. 9061.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
27 The district is created to serve a public use and benefit.

1 (b) All land and other property included in the boundaries
2 of the district will benefit from the works and projects
3 accomplished by the district under the powers conferred by Section
4 59, Article XVI, Texas Constitution.

5 (c) The district is essential to accomplish the purposes of
6 Section 59, Article XVI, Texas Constitution.

7 (d) The accomplishment of the purposes stated in this
8 chapter will benefit the people of this state and improve their
9 property and industries.

10 (e) The district in carrying out the purposes of this
11 chapter will be performing an essential public function under the
12 Texas Constitution. (Acts 61st Leg., R.S., Ch. 846, Secs. 1 (part),
13 4, 21 (part).)

14 Sec. 9061.004. DISTRICT TERRITORY. (a) The district is
15 composed of the territory described by Section 2, Chapter 846, Acts
16 of the 61st Legislature, Regular Session, 1969, as that territory
17 may have been modified under:

- 18 (1) Subchapter O, Chapter 51, Water Code;
19 (2) Subchapter J, Chapter 49, Water Code;
20 (3) Section 9061.005 or its predecessor statute,
21 former Section 9, Chapter 846, Acts of the 61st Legislature,
22 Regular Session, 1969; or
23 (4) other law.

24 (b) The boundaries and field notes of the district form a
25 closure. A mistake in the field notes or in copying the field notes
26 in the legislative process does not affect:

- 27 (1) the district's organization, existence, or

1 validity;

2 (2) the district's right to issue any type of bond for
3 a purpose for which the district is created or to pay the principal
4 of and interest on the bond;

5 (3) the district's right to impose a tax; or

6 (4) in any other manner, the legality or operation of
7 the district or its governing body. (Acts 61st Leg., R.S., Ch. 846,
8 Sec. 3; New.)

9 Sec. 9061.005. EXPANSION OF DISTRICT. (a) If land is
10 annexed by the district under Section 49.301 or 51.714, Water Code,
11 the board may require the petitioners to:

12 (1) assume the petitioners' pro rata share of the voted
13 but unissued bonds of the district; and

14 (2) authorize the board to impose a tax on the
15 petitioners' property to pay for the bonds after the bonds have been
16 issued.

17 (b) If land is annexed by the district under Section 49.302,
18 Water Code, the board may submit to the voters of the area to be
19 annexed a proposition on the question of the assumption by the area
20 to be annexed of its part of the voted but not yet issued or sold tax
21 or tax-revenue bonds of the district and the imposition of an ad
22 valorem tax on taxable property in the area to be annexed along with
23 a tax in the rest of the district for the payment of the bonds.

24 (c) If the petitioners consent or if the election results
25 favorably, the district may issue its voted but unissued tax or
26 tax-revenue bonds regardless of changes to district boundaries
27 since the voting or authorization of those bonds. (Acts 61st Leg.,

1 R.S., Ch. 846, Sec. 9 (part).)

2 Sec. 9061.006. HEARINGS FOR EXCLUSION OF LAND. (a) The
3 board is not required to call or hold a hearing on the exclusion of
4 land or other property from the district; provided, however, that
5 the board shall hold a hearing if an owner of land or other property
6 located in the district files a written petition for a hearing with
7 the board secretary before the district's first bond election is
8 called.

9 (b) The board may act on the petition in the same manner that
10 it may act on a petition for the addition of land under Section
11 [49.301](#) or [51.714](#), Water Code. A notice of hearing is not required.

12 (c) The board on its own motion may call and hold an
13 exclusion hearing under general law. (Acts 61st Leg., R.S., Ch.
14 846, Sec. 7.)

15 Sec. 9061.007. STATE POLICY REGARDING WASTE DISPOSAL. The
16 district's powers and duties are subject to the state policy of
17 encouraging the development and use of integrated area-wide waste
18 collection, treatment, and disposal systems to serve the waste
19 disposal needs of this state's residents, if integrated systems can
20 reasonably be provided for an area, so as to avoid the economic
21 burden on residents and the impact on state water quality caused by
22 the construction and operation of numerous small waste collection,
23 treatment, and disposal facilities. (Acts 61st Leg., R.S., Ch.
24 846, Sec. 5 (part).)

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 9061.051. COMPOSITION OF BOARD. The board consists of
27 five elected directors. (Acts 61st Leg., R.S., Ch. 846, Sec. 10

1 (part).)

2 Sec. 9061.052. APPOINTMENT OF TREASURER. The board may
3 appoint the treasurer. (Acts 61st Leg., R.S., Ch. 846, Sec. 10
4 (part).)

5 Sec. 9061.053. DIRECTOR AND TREASURER BONDS. (a) Each
6 director shall qualify by giving bond in the amount of \$5,000 for
7 the faithful performance of the director's duties.

8 (b) The directors' bonds must be recorded in a record kept
9 for that purpose in the district's office.

10 (c) The treasurer shall give bond in the amount required by
11 the board, conditioned on the treasurer's faithful accounting for
12 all money that comes into the treasurer's custody as district
13 treasurer. (Acts 61st Leg., R.S., Ch. 846, Sec. 10 (part).)

14 Sec. 9061.054. BOARD VACANCY. (a) Except as provided by
15 Subsection (b), a vacancy in the office of director shall be filled
16 in the manner provided by Section [49.105](#), Water Code.

17 (b) The county judge of Harris County shall appoint
18 directors to fill all of the vacancies on the board if the number of
19 qualified directors is less than three. (Acts 61st Leg., R.S., Ch.
20 846, Sec. 10 (part).)

21 Sec. 9061.055. BOARD PRESIDENT'S POWER TO EXECUTE
22 CONTRACTS. The board president may execute all contracts, including
23 construction contracts, entered into by the board on behalf of the
24 district. (Acts 61st Leg., R.S., Ch. 846, Sec. 10 (part).)

25 Sec. 9061.056. ABSENCE OR INACTION OF BOARD PRESIDENT. (a)
26 When the board president is absent or fails or declines to act, the
27 board vice president shall perform all duties and exercise all

1 power that this chapter or general law gives the president.

2 (b) If the board president is absent from a board meeting,
3 the board vice president may sign an order adopted or other action
4 taken at the meeting, or the board may authorize the president to
5 sign the order or action. (Acts 61st Leg., R.S., Ch. 846, Sec. 10
6 (part).)

7 Sec. 9061.057. DISTRICT OFFICE. (a) The board shall
8 designate, establish, and maintain a district office as provided by
9 Section 49.062, Water Code.

10 (b) The board may establish a second district office outside
11 the district. If the board establishes a district office outside
12 the district, the board shall give notice of the location of that
13 office by:

14 (1) filing a copy of the board resolution that
15 establishes the location of the office:

16 (A) with the Texas Commission on Environmental
17 Quality; and

18 (B) in the water control and improvement district
19 records of Harris County; and

20 (2) publishing the location of the office in a
21 newspaper of general circulation in Harris County.

22 (c) A district office may be a private residence, office, or
23 dwelling. A district office that is a private residence, office, or
24 dwelling is a public place for matters relating to the district's
25 business.

26 (d) The board shall give notice of any change in the
27 location of the district office outside the district in the manner

1 required by Subsection (b). (Acts 61st Leg., R.S., Ch. 846, Sec.
2 15.)

3 SUBCHAPTER C. POWERS AND DUTIES

4 Sec. 9061.101. WATER CONTROL AND IMPROVEMENT DISTRICT
5 POWERS. The district has all of the rights, powers, privileges, and
6 functions provided by general law applicable to water control and
7 improvement districts created under Section 59, Article XVI, Texas
8 Constitution, including Chapters 49 and 51, Water Code. (Acts 61st
9 Leg., R.S., Ch. 846, Sec. 5 (part).)

10 Sec. 9061.102. ADDITIONAL POWERS. (a) The district may:

11 (1) make, purchase, construct, lease, or otherwise
12 acquire property, works, facilities, or improvements, existing or
13 to be made, constructed, or acquired, inside or outside the
14 district's boundaries and necessary to carry out the powers granted
15 by this chapter or general law; or

16 (2) enter into a contract with a person on terms the
17 board considers desirable, fair, and advantageous for:

18 (A) the purchase or sale of water;

19 (B) the transportation, treatment, and disposal
20 of the domestic, industrial, or communal wastes of the district or
21 others;

22 (C) the continuing and orderly development of
23 land and property in the district through the purchase,
24 construction, or installation of facilities, works, or
25 improvements that the district is otherwise authorized to do or
26 perform so that, to the greatest extent reasonably possible,
27 considering sound engineering and economic practices, all of the

1 land and property may ultimately receive the services of the
2 facilities, works, or improvements; and

3 (D) the performance of any of the rights or
4 powers granted by this chapter or general law relating to water
5 control and improvement districts.

6 (b) A contract under Subsection (a)(2) may not have a
7 duration of more than 40 years. (Acts 61st Leg., R.S., Ch. 846,
8 Sec. 5 (part).)

9 Sec. 9061.103. LIMIT ON EMINENT DOMAIN. The district may
10 exercise the power of eminent domain only:

11 (1) in Harris County; and

12 (2) when necessary to carry out the purposes for which
13 the district was created. (Acts 61st Leg., R.S., Ch. 846, Sec. 13
14 (part).)

15 Sec. 9061.104. COST OF RELOCATING OR ALTERING PROPERTY.

16 (a) In this section, "sole expense" means the actual cost of
17 relocating, raising, lowering, rerouting, changing the grade of, or
18 altering the construction of a facility described by Subsection (b)
19 in providing comparable replacement without enhancement of the
20 facility, after deducting from that cost the net salvage value
21 derived from the old facility.

22 (b) If the district's exercise of the power of eminent
23 domain makes necessary relocating, raising, rerouting, changing
24 the grade of, or altering the construction of a highway, railroad,
25 electric transmission line, telegraph or telephone property or
26 facility, or pipeline, the necessary action shall be accomplished
27 at the sole expense of the district. (Acts 61st Leg., R.S., Ch.

1 846, Sec. 13 (part).)

2 Sec. 9061.105. NOTICE OF ELECTION. Notice of an election
3 may be given under the hand of the board president or secretary.
4 (Acts 61st Leg., R.S., Ch. 846, Sec. 18 (part).)

5 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

6 Sec. 9061.151. TAX METHOD. (a) The district shall use the
7 ad valorem plan of taxation.

8 (b) The board is not required to call or hold a hearing on
9 the adoption of a plan of taxation. (Acts 61st Leg., R.S., Ch. 846,
10 Sec. 8.)

11 Sec. 9061.152. DISTRICT ACCOUNTS. The district shall keep
12 a complete system of the district's accounts. (Acts 61st Leg.,
13 R.S., Ch. 846, Sec. 14 (part).)

14 Sec. 9061.153. COPY OF AUDIT REPORT. A copy of the audit
15 report prepared under Subchapter G, Chapter 49, Water Code, shall
16 be delivered:

17 (1) to each director; and

18 (2) to a holder of at least 25 percent of the
19 outstanding bonds of the district, on request. (Acts 61st Leg.,
20 R.S., Ch. 846, Sec. 14 (part); New.)

21 Sec. 9061.154. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.
22 The district is not required to pay a tax or assessment on:

23 (1) district property; or

24 (2) a purchase made by the district. (Acts 61st Leg.,
25 R.S., Ch. 846, Sec. 21 (part).)

26 Sec. 9061.155. DEPOSITORY. (a) The board shall select one
27 or more banks in this state to act as depository for the district's

1 money.

2 (b) To the extent that money in the depository bank is not
3 insured by the Federal Deposit Insurance Corporation, the money
4 must be secured in the manner provided by law for the security of
5 county funds.

6 (c) A director may be a shareholder in a bank that is a
7 depository of district money. (Acts 61st Leg., R.S., Ch. 846, Sec.
8 14 (part).)

9 SUBCHAPTER E. BONDS

10 Sec. 9061.201. ISSUANCE OF BONDS. (a) The district may
11 issue tax bonds, revenue bonds, or tax and revenue bonds to provide
12 money for any purpose of this chapter, including the acquisition of
13 land.

14 (b) The district must issue bonds in the manner provided by
15 Chapters 49 and 51, Water Code, except that the district may issue
16 bonds payable solely from net revenue by resolution or order of the
17 board without an election.

18 (c) Bonds issued under this subchapter may be payable from
19 all or any designated part of the revenue of district property and
20 facilities or under a specific contract, as provided in the order or
21 resolution authorizing the issuance of the bonds. (Acts 61st Leg.,
22 R.S., Ch. 846, Sec. 12 (part).)

23 Sec. 9061.202. ADDITIONAL SECURITY. (a) Within the
24 discretion of the board, bonds issued under this subchapter may be
25 additionally secured by a deed of trust or mortgage lien on physical
26 property of the district and franchises, easements, water rights
27 and appropriation permits, leases, contracts, and all rights

1 appurtenant to that property, vesting in the trustee:

2 (1) the power to sell the property for payment of the
3 debt;

4 (2) the power to operate the property; and

5 (3) all other powers to further secure the bonds.

6 (b) A purchaser under a sale under the deed of trust or
7 mortgage lien, if one is given:

8 (1) is the absolute owner of the property, facilities,
9 and rights purchased; and

10 (2) may maintain and operate the property and
11 facilities. (Acts 61st Leg., R.S., Ch. 846, Sec. 12 (part).)

12 Sec. 9061.203. TRUST INDENTURE. A trust indenture created
13 under Section 9061.202, regardless of the existence of a deed of
14 trust or mortgage lien on the property, may:

15 (1) contain provisions prescribed by the board for the
16 security of the bonds and the preservation of the trust estate;

17 (2) provide for amendment or modification of the trust
18 indenture;

19 (3) provide for the issuance of bonds to replace lost
20 or mutilated bonds;

21 (4) condition the right to spend district money or
22 sell district property on the approval of a licensed engineer
23 selected as provided by the trust indenture; and

24 (5) provide for the investment of district money.
25 (Acts 61st Leg., R.S., Ch. 846, Sec. 12 (part).)

26 Sec. 9061.204. ORDER OR RESOLUTION AUTHORIZING ISSUANCE OF
27 CERTAIN BONDS. (a) In an order or resolution authorizing the

1 issuance of revenue, tax-revenue, revenue refunding, or
2 tax-revenue refunding bonds, the board may:

3 (1) provide for:

4 (A) the flow of money; and

5 (B) the establishment and maintenance of the
6 interest and sinking fund, reserve fund, or other fund;

7 (2) make additional covenants with respect to the
8 bonds and the pledged revenue and the operation and maintenance of
9 the improvements and facilities the revenue of which is pledged,
10 including provisions for the operation or leasing of all or part of
11 the improvements and facilities and the use or pledge of money
12 received from the operation contract or lease as the board
13 considers appropriate;

14 (3) prohibit the further issuance of bonds or other
15 obligations payable from the pledged revenue or reserve the right
16 to issue additional bonds to be secured by a pledge of and payable
17 from the revenue on a parity with, or subordinate to, the lien and
18 pledge in support of the bonds being issued, subject to any
19 conditions set forth in the order or resolution; and

20 (4) include any other provision or covenant, as the
21 board determines, that is not prohibited by the Texas Constitution
22 or this chapter.

23 (b) The board may adopt and cause to be executed any other
24 proceeding or instrument necessary or convenient in the issuance of
25 the bonds. (Acts 61st Leg., R.S., Ch. 846, Sec. 12 (part).)

26 Sec. 9061.205. USE OF BOND PROCEEDS. (a) The district may
27 appropriate or set aside out of proceeds from the sale of district

- 1 Sec. 9062.153. ACQUISITION OF IMPROVEMENTS
- 2 Sec. 9062.154. COST OF RELOCATING OR ALTERING PROPERTY
- 3 Sec. 9062.155. LIMIT ON EMINENT DOMAIN POWER
- 4 Sec. 9062.156. DURATION OF CONTRACT FOR WATER PURCHASE

5 OR SALE

6 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

- 7 Sec. 9062.201. TAX METHOD
- 8 Sec. 9062.202. DEPOSITORY

9 CHAPTER 9062. TREASURE ISLAND MUNICIPAL UTILITY DISTRICT OF
10 BRAZORIA COUNTY, TEXAS

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 9062.001. DEFINITIONS. In this chapter:

- 13 (1) "Board" means the district's board of directors.
- 14 (2) "District" means the Treasure Island Municipal
15 Utility District of Brazoria County, Texas. (Acts 59th Leg., R.S.,
16 Ch. 532, Sec. 1 (part); New.)

17 Sec. 9062.002. NATURE OF DISTRICT. The district is:

- 18 (1) a conservation and reclamation district in
19 Brazoria County under Section 59, Article XVI, Texas Constitution;
- 20 (2) a water control and improvement district; and
- 21 (3) a municipal corporation. (Acts 59th Leg., R.S.,
22 Ch. 532, Secs. 1 (part), 6 (part), 8 (part).)

23 Sec. 9062.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
24 The district is created to serve a public use and benefit.

25 (b) All land and other property in the district will benefit
26 from the creation of the district and the improvements the district
27 will purchase, construct, or otherwise acquire.

1 (c) The district is essential to accomplish the purposes of
2 Section 59, Article XVI, Texas Constitution. (Acts 59th Leg.,
3 R.S., Ch. 532, Secs. 6 (part), 8 (part).)

4 Sec. 9062.004. DISSOLUTION OF DISTRICT. The district may
5 be dissolved by the board in accordance with Sections
6 51.781-51.791, Water Code. (Acts 59th Leg., R.S., Ch. 532, Sec. 4
7 (part).)

8 SUBCHAPTER B. DISTRICT TERRITORY

9 Sec. 9062.051. DISTRICT TERRITORY. The district is
10 composed of the territory described by Section 1, Chapter 532, Acts
11 of the 59th Legislature, Regular Session, 1965, as that territory
12 may have been modified under:

- 13 (1) Subchapter O, Chapter 51, Water Code;
14 (2) Subchapter J, Chapter 49, Water Code;
15 (3) Section 9062.052 or its predecessor statute,
16 former Section 4, Chapter 532, Acts of the 59th Legislature,
17 Regular Session, 1965; or
18 (4) other law. (New.)

19 Sec. 9062.052. ADDITION OF LAND TO DISTRICT. The district
20 may not add land to the district unless:

- 21 (1) an owner of land adjacent or contiguous to the
22 district requests in writing that the district add land;
23 (2) the owner of the land to be added consents to the
24 addition; and
25 (3) the land is adjacent or contiguous to the district
26 when added. (Acts 59th Leg., R.S., Ch. 532, Sec. 4 (part).)

27 Sec. 9062.053. EXCLUSION OF LAND FROM DISTRICT. (a) Land

1 may be excluded from the district in the manner provided by:

2 (1) Subchapter O, Chapter 51, Water Code; or

3 (2) Subchapter J, Chapter 49, Water Code.

4 (b) The board is not required to call or hold a hearing on
5 the exclusion of land or other property from the district;
6 provided, however, that the board shall hold a hearing if an owner
7 of land or other property located in the district files a written
8 request for a hearing with the board secretary before the
9 district's first bond election is called.

10 (c) Subsection (b) may not be construed to prevent the board
11 on its own motion from calling and holding an exclusion hearing
12 under general law. (Acts 59th Leg., R.S., Ch. 532, Secs. 4 (part),
13 6 (part).)

14 SUBCHAPTER C. BOARD OF DIRECTORS

15 Sec. 9062.101. COMPOSITION OF BOARD. The board is composed
16 of five elected directors. (Acts 59th Leg., R.S., Ch. 532, Sec. 3
17 (part).)

18 SUBCHAPTER D. POWERS AND DUTIES

19 Sec. 9062.151. WATER CONTROL AND IMPROVEMENT DISTRICT
20 POWERS. The district has the rights, powers, privileges, and
21 duties provided by general law applicable to a water control and
22 improvement district created under Section 59, Article XVI, Texas
23 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th
24 Leg., R.S., Ch. 532, Sec. 2 (part).)

25 Sec. 9062.152. RECLAMATION AND DRAINAGE. The district may
26 provide for the reclamation and drainage of overflowed land and
27 other land needing drainage in the district. (Acts 59th Leg., R.S.,

1 Ch. 532, Sec. 2 (part).)

2 Sec. 9062.153. ACQUISITION OF IMPROVEMENTS. The district
3 may make, construct, or otherwise acquire improvements inside or
4 outside the district that are necessary to carry out a power granted
5 to the district under this chapter or a general law described by
6 Section 9062.151. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

7 Sec. 9062.154. COST OF RELOCATING OR ALTERING PROPERTY.

8 (a) In this section, "sole expense" means the actual cost of
9 relocating, raising, lowering, rerouting, changing the grade of, or
10 altering the construction of a facility described by Subsection (b)
11 in providing comparable replacement without enhancement of the
12 facility, after deducting from that cost the net salvage value
13 derived from the old facility.

14 (b) If the district's exercise of the power of eminent
15 domain, the power of relocation, or any other power granted by this
16 chapter makes necessary relocating, raising, rerouting, changing
17 the grade of, or altering the construction of a highway, railroad,
18 electric transmission line, telephone or telegraph property or
19 facility, or pipeline, the necessary action shall be accomplished
20 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.
21 532, Sec. 2 (part).)

22 Sec. 9062.155. LIMIT ON EMINENT DOMAIN POWER. The district
23 may not exercise the power of eminent domain outside the district.
24 (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

25 Sec. 9062.156. DURATION OF CONTRACT FOR WATER PURCHASE OR
26 SALE. A district contract for the purchase or sale of water may not
27 exceed 40 years. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

1 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

2 Sec. 9062.201. TAX METHOD. (a) The district shall use the
3 ad valorem basis or plan of taxation.

4 (b) The board is not required to hold a hearing on the
5 adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 532,
6 Sec. 6 (part).)

7 Sec. 9062.202. DEPOSITORY. (a) The board by resolution
8 shall designate one or more banks inside or outside the district to
9 serve as the district's depository. A designated bank serves for
10 two years and until a successor is designated.

11 (b) All district money shall be secured in the manner
12 provided for securing county funds. (Acts 59th Leg., R.S., Ch. 532,
13 Sec. 7.)

14 CHAPTER 9063. UPPER JASPER COUNTY WATER AUTHORITY

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 9063.001. DEFINITIONS

17 Sec. 9063.002. NATURE OF AUTHORITY

18 Sec. 9063.003. AUTHORITY TERRITORY

19 Sec. 9063.004. SABINE RIVER AUTHORITY NOT AFFECTED;

20 LEGISLATIVE INTENT

21 SUBCHAPTER B. BOARD OF DIRECTORS

22 Sec. 9063.051. COMPOSITION OF BOARD

23 Sec. 9063.052. QUALIFICATIONS FOR OFFICE

24 SUBCHAPTER C. POWERS AND DUTIES

25 Sec. 9063.101. GENERAL POWERS

26 Sec. 9063.102. WATER CONTROL AND IMPROVEMENT DISTRICT

27 POWERS

1 Sec. 9063.103. COOPERATION AND AGREEMENTS WITH OTHER
2 AGENCIES

3 Sec. 9063.104. COST OF RELOCATING OR ALTERING PROPERTY
4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

5 Sec. 9063.151. TAX METHOD; HEARING REQUIRED

6 CHAPTER 9063. UPPER JASPER COUNTY WATER AUTHORITY
7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 9063.001. DEFINITIONS. In this chapter:

9 (1) "Authority" means the Upper Jasper County Water
10 Authority.

11 (2) "Board" means the authority's board of directors.

12 (3) "Director" means a board member. (Acts 54th Leg.,
13 R.S., Ch. 508, Sec. 1 (part); New.)

14 Sec. 9063.002. NATURE OF AUTHORITY. (a) The authority is a
15 conservation and reclamation district.

16 (b) The creation of the authority is essential to accomplish
17 the purposes of Section 59, Article XVI, Texas Constitution. (Acts
18 54th Leg., R.S., Ch. 508, Sec. 1 (part).)

19 Sec. 9063.003. AUTHORITY TERRITORY. The authority consists
20 of the territory included in the boundaries of County Commissioners
21 Precincts 1 and 2 of Jasper County, as those boundaries existed on
22 June 22, 1955. The authority's territory may have been modified
23 under:

24 (1) Subchapter O, Chapter 51, Water Code;

25 (2) Subchapter J, Chapter 49, Water Code; or

26 (3) other law. (Acts 54th Leg., R.S., Ch. 508, Sec. 1
27 (part); New.)

1 Sec. 9063.004. SABINE RIVER AUTHORITY NOT AFFECTED;
2 LEGISLATIVE INTENT. In enacting Chapter 508, Acts of the 54th
3 Legislature, Regular Session, 1955, revised as this chapter, the
4 legislature intended to preserve the area and authority of the
5 Sabine River Authority as that area and authority existed on June
6 22, 1955, and this chapter may not be construed as limiting the area
7 and authority of the Sabine River Authority as it existed on June
8 22, 1955. (Acts 54th Leg., R.S., Ch. 508, Sec. 4 (part).)

9 SUBCHAPTER B. BOARD OF DIRECTORS

10 Sec. 9063.051. COMPOSITION OF BOARD. The authority is
11 governed by a board of five elected directors. (Acts 54th Leg.,
12 R.S., Ch. 508, Sec. 2 (part).)

13 Sec. 9063.052. QUALIFICATIONS FOR OFFICE. (a) A director
14 must be:

- 15 (1) at least 18 years of age;
16 (2) a resident of the state and authority; and
17 (3) the owner of property subject to taxation in the
18 authority.

19 (b) At least one director must reside in County
20 Commissioners Precinct 1 of Jasper County. (Acts 54th Leg., R.S.,
21 Ch. 508, Sec. 2 (part).)

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 9063.101. GENERAL POWERS. The authority may exercise
24 the rights, privileges, and functions provided by this chapter.
25 (Acts 54th Leg., R.S., Ch. 508, Sec. 1 (part).)

26 Sec. 9063.102. WATER CONTROL AND IMPROVEMENT DISTRICT
27 POWERS. The authority has the rights, powers, privileges, and

1 duties provided by general law applicable to a water control and
2 improvement district created under Section 59, Article XVI, Texas
3 Constitution, including Chapters 49 and 51, Water Code. (Acts 54th
4 Leg., R.S., Ch. 508, Sec. 3 (part); New.)

5 Sec. 9063.103. COOPERATION AND AGREEMENTS WITH OTHER
6 AGENCIES. (a) On terms the board determines to be in the best
7 interests of the authority, the authority may cooperate and enter
8 into agreements with another political subdivision of the state,
9 including the Sabine River Authority, for the construction,
10 improvement, extension, maintenance, repair, and operation of
11 water supply and distribution projects and facilities in the
12 authority.

13 (b) The authority may, separately or jointly with an agency
14 described by Subsection (a), acquire, construct, enlarge, improve,
15 extend, repair, maintain, and operate water distribution projects
16 and facilities for supplying water to users in the authority. (Acts
17 54th Leg., R.S., Ch. 508, Sec. 4 (part).)

18 Sec. 9063.104. COST OF RELOCATING OR ALTERING PROPERTY. If
19 the authority's exercise of the power of eminent domain, the power
20 of relocation, or any other power granted by this chapter makes
21 necessary relocating, raising, rerouting, changing the grade of, or
22 altering the construction of a railroad, highway or other public
23 road, electric transmission line, or telephone or telegraph
24 property or facility, the necessary action shall be accomplished at
25 the sole expense of the authority. (Acts 54th Leg., R.S., Ch. 508,
26 Sec. 3a.)

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 9063.151. TAX METHOD; HEARING REQUIRED. Before an
3 election authorizing bonds, the board must hold a public hearing on
4 the adoption of the plan of taxation to be used by the authority and
5 adopt a plan of taxation. (Acts 54th Leg., R.S., Ch. 508, Sec. 3
6 (part).)

7 SECTION 1.07. Subtitle X, Title 6, Special District Local
8 Laws Code, is amended by adding Chapters 11005, 11006, and 11007 to
9 read as follows:

10 CHAPTER 11005. MUENSTER WATER DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 11005.001. DEFINITIONS

13 Sec. 11005.002. NATURE OF DISTRICT

14 Sec. 11005.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

15 SUBCHAPTER B. DISTRICT TERRITORY; ANNEXATION

16 Sec. 11005.051. DISTRICT TERRITORY

17 Sec. 11005.052. ANNEXATION OF CITY TERRITORY

18 Sec. 11005.053. ANNEXATION OF OTHER TERRITORY

19 Sec. 11005.054. DETACHMENT OF DISTRICT TERRITORY AFTER

20 ISSUANCE OF BONDS

21 SUBCHAPTER C. BOARD OF DIRECTORS

22 Sec. 11005.101. COMPOSITION OF BOARD; TERMS

23 Sec. 11005.102. COMPENSATION OF DIRECTORS

24 Sec. 11005.103. QUALIFICATIONS FOR OFFICE

25 Sec. 11005.104. VACANCIES

26 Sec. 11005.105. REMOVAL FROM OFFICE

- 1 Sec. 11005.106. BOARD RESOLUTIONS; QUORUM; VOTING
2 REQUIREMENTS
- 3 Sec. 11005.107. OFFICERS AND ASSISTANTS
- 4 Sec. 11005.108. DUTIES OF OFFICERS AND ASSISTANTS
- 5 Sec. 11005.109. MEETINGS
- 6 Sec. 11005.110. PERSONAL LIABILITY OF DIRECTORS
- 7 SUBCHAPTER D. POWERS AND DUTIES
- 8 Sec. 11005.151. DISTRICT POWERS
- 9 Sec. 11005.152. PERMITS
- 10 Sec. 11005.153. GENERAL AUTHORITY OF PUBLIC AGENCIES
11 AND POLITICAL SUBDIVISIONS TO
12 CONTRACT WITH DISTRICT
- 13 Sec. 11005.154. DISTRICT AUTHORITY TO CONTRACT TO
14 SUPPLY WATER
- 15 Sec. 11005.155. SOURCES FOR WATER; ACQUISITION OF
16 LAND; STORAGE CAPACITY
- 17 Sec. 11005.156. CONSTRUCTION CONTRACTS
- 18 Sec. 11005.157. CONVEYANCE OF LAND TO DISTRICT
- 19 Sec. 11005.158. SURPLUS PROPERTY
- 20 Sec. 11005.159. EMINENT DOMAIN
- 21 Sec. 11005.160. COST OF RELOCATING OR ALTERING
22 PROPERTY; RIGHTS-OF-WAY AND
23 EASEMENTS
- 24 Sec. 11005.161. OTHER DISTRICT POWERS
- 25 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS
- 26 Sec. 11005.201. DEPOSITORY
- 27 Sec. 11005.202. INVESTMENT OF DISTRICT MONEY

- 1 Sec. 11005.203. DISTRICT FACILITIES EXEMPT FROM
- 2 TAXATION AND ASSESSMENT
- 3 SUBCHAPTER F. BONDS
- 4 Sec. 11005.251. AUTHORITY TO ISSUE BONDS
- 5 Sec. 11005.252. FORM OF BONDS
- 6 Sec. 11005.253. MATURITY
- 7 Sec. 11005.254. ELECTION FOR BONDS PAYABLE FROM AD
- 8 VALOREM TAXES
- 9 Sec. 11005.255. BONDS SECURED BY REVENUE; ADDITIONAL
- 10 BONDS
- 11 Sec. 11005.256. BONDS PAYABLE FROM AD VALOREM TAXES
- 12 Sec. 11005.257. ADDITIONAL SECURITY
- 13 Sec. 11005.258. TRUST INDENTURE
- 14 Sec. 11005.259. RATES FOR SERVICES; PAYMENT OF REVENUE
- 15 BONDS
- 16 Sec. 11005.260. USE OF BOND PROCEEDS
- 17 Sec. 11005.261. APPOINTMENT OF RECEIVER
- 18 Sec. 11005.262. REFUNDING BONDS
- 19 Sec. 11005.263. LIMITATION ON RIGHTS OF BONDHOLDERS
- 20 Sec. 11005.264. BONDS EXEMPT FROM TAXATION

21 CHAPTER 11005. MUENSTER WATER DISTRICT

22 SUBCHAPTER A. GENERAL PROVISIONS

- 23 Sec. 11005.001. DEFINITIONS. In this chapter:
- 24 (1) "Board" means the board of directors of the
- 25 district.
- 26 (2) "City" means the city of Muenster.
- 27 (3) "City council" means the city council of the city.

1 (4) "Director" means a member of the board appointed
2 by the city council.

3 (5) "District" means the Muenster Water District.
4 (Acts 63rd Leg., R.S., Ch. 619, Secs. 1 (part), 2 (part), 4(a)
5 (part); New.)

6 Sec. 11005.002. NATURE OF DISTRICT. The district is a
7 conservation and reclamation district created under Section 59,
8 Article XVI, Texas Constitution. (Acts 63rd Leg., R.S., Ch. 619,
9 Sec. 1 (part).)

10 Sec. 11005.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

11 (a) All territory and taxable property in the city will benefit
12 from the works and improvements of the district.

13 (b) The accomplishment of the purposes stated in this
14 chapter will benefit the people of this state and improve their
15 property and industries.

16 (c) The district, in carrying out the purposes of this
17 chapter, will be performing an essential public function under the
18 constitution. (Acts 63rd Leg., R.S., Ch. 619, Secs. 2 (part), 22
19 (part).)

20 SUBCHAPTER B. DISTRICT TERRITORY; ANNEXATION

21 Sec. 11005.051. DISTRICT TERRITORY. (a) The boundaries of
22 the district are coextensive with the boundaries of the city as
23 those boundaries existed on January 1, 1973, and as the district
24 territory may have been modified under:

25 (1) this subchapter or its predecessor statute,
26 Section 7, Chapter 619, Acts of the 63rd Legislature, Regular
27 Session, 1973;

1 (2) Subchapter J, Chapter 49, Water Code; or

2 (3) other law.

3 (b) An invalidity in the fixing of the boundaries of the
4 city as they existed on January 1, 1973, does not affect the
5 boundaries of the district. (Acts 63rd Leg., R.S., Ch. 619, Sec. 2
6 (part); New.)

7 Sec. 11005.052. ANNEXATION OF CITY TERRITORY. (a)
8 Territory annexed to the city after January 1, 1973, may be annexed
9 to the district as provided by this section.

10 (b) At any time after final passage of an ordinance or
11 resolution annexing territory to the city, the board may give
12 notice of a hearing on the question of annexing that territory to
13 the district. The notice is sufficient if it:

14 (1) states the date and place of the hearing; and

15 (2) describes the territory proposed to be annexed or
16 refers to the annexation ordinance or resolution of the city.

17 (c) At least 10 days before the date set for the hearing, the
18 notice must be published one time in a newspaper of general
19 circulation in the city.

20 (d) If, as a result of the hearing, the board finds that the
21 territory will benefit from the present or contemplated
22 improvements, works, or facilities of the district, the board shall
23 adopt a resolution annexing the territory to the district.

24 (e) After the territory is annexed to the district, the
25 board may hold an election in the entire district to determine
26 whether:

27 (1) the entire district will assume any tax-supported

1 bonds then outstanding and those bonds previously voted but not yet
2 sold; and

3 (2) an ad valorem tax for the payment of the bonds will
4 be imposed on all taxable property in the district.

5 (f) An election held under Subsection (e) must be held and
6 notice must be given in the same manner as an election is held and
7 notice is given under Section 11005.254 for the issuance of bonds.
8 (Acts 63rd Leg., R.S., Ch. 619, Secs. 7 (part), (a), (b), (c), (d).)

9 Sec. 11005.053. ANNEXATION OF OTHER TERRITORY. (a)
10 Territory other than territory subject to Section 11005.052 may be
11 annexed to the district as provided by this section.

12 (b) The board may annex territory or a municipality under
13 this section only if a petition requesting annexation is signed by
14 50 registered voters of the territory or municipality to be
15 annexed, or a majority of the registered voters of that territory or
16 municipality, whichever is fewer, and is filed with the board. The
17 petition must describe the territory to be annexed by metes and
18 bounds, or otherwise. If the territory is the same as that
19 contained in the boundaries of a municipality, the petition is
20 sufficient if it states that the territory to be annexed is the
21 territory contained in the municipal boundaries.

22 (c) If the board finds that the petition complies with
23 Subsection (b), that the annexation would be in the best interest of
24 the territory or municipality and the district, and that the
25 district will be able to supply water to the territory or
26 municipality, the board shall:

27 (1) adopt a resolution stating the conditions, if any,

1 under which the territory or municipality may be annexed to the
2 district; and

3 (2) set a time and place to hold a hearing on the
4 question of whether the territory or municipality to be annexed
5 will benefit from:

6 (A) the improvements, works, or facilities owned
7 or operated or contemplated to be owned or operated by the district;
8 or

9 (B) the other functions of the district.

10 (d) At least 10 days before the date of the hearing, notice
11 of the adoption of the resolution stating the time and place of the
12 hearing must be published one time in a newspaper of general
13 circulation in the territory or municipality proposed to be
14 annexed. The notice must describe the territory in the same manner
15 in which Subsection (b) requires or permits the petition to
16 describe the territory.

17 (e) Any interested person may appear at the hearing and
18 offer evidence for or against the annexation.

19 (f) The hearing may proceed in the order and under the rules
20 prescribed by the board. The hearing may be recessed from time to
21 time.

22 (g) If, at the conclusion of the hearing, the board finds
23 that the property in the territory or municipality will benefit
24 from the present or contemplated improvements, works, or facilities
25 of the district, the board shall adopt a resolution making a finding
26 of the benefit and calling an election in the territory or
27 municipality to be annexed.

1 (h) The resolution must state:

2 (1) the date of the election;

3 (2) each place where the election will be held; and

4 (3) the proposition to be voted on.

5 (i) At least 10 days before the date set for the election,
6 notice of the election must be given by publishing a substantial
7 copy of the resolution calling the election one time in a newspaper
8 of general circulation in the territory proposed to be annexed.

9 (j) In calling an election on the proposition for annexation
10 of the territory or municipality, the board may include, as part of
11 the same proposition or as a separate proposition, a proposition
12 for:

13 (1) the territory to assume its part of the
14 tax-supported bonds of the district then outstanding and those
15 bonds previously voted but not yet sold; and

16 (2) an ad valorem tax to be imposed on taxable property
17 in the territory along with the tax in the rest of the district for
18 the payment of the bonds.

19 (k) If a majority of the votes cast at the election are in
20 favor of annexation, the board by resolution shall annex the
21 territory to the district.

22 (l) An annexation under this section is incontestable
23 except in the manner and within the time for contesting elections
24 under the Election Code. (Acts 63rd Leg., R.S., Ch. 619, Sec. 7(e)
25 (part).)

26 Sec. 11005.054. DETACHMENT OF DISTRICT TERRITORY AFTER
27 ISSUANCE OF BONDS. Territory may not be detached from the district

1 after the issuance of bonds payable from revenue or taxes, or both
2 revenue and taxes. (Acts 63rd Leg., R.S., Ch. 619, Sec. 17(a)
3 (part).)

4 SUBCHAPTER C. BOARD OF DIRECTORS

5 Sec. 11005.101. COMPOSITION OF BOARD; TERMS. (a) The
6 district is governed by a board of five directors appointed by the
7 city council. The directors occupy numbered places on the board.

8 (b) Directors serve staggered two-year terms, with the
9 terms of the directors occupying Places 1, 2, and 3 expiring at
10 midnight on March 1 of each odd-numbered year and the terms of the
11 directors occupying Places 4 and 5 expiring at midnight on March 1
12 of each even-numbered year.

13 (c) The mayor of the city serves, ex officio, as an honorary
14 board member. The mayor may attend all board meetings and
15 participate in all board proceedings except that the mayor may not
16 vote. (Acts 63rd Leg., R.S., Ch. 619, Sec. 4(a) (part).)

17 Sec. 11005.102. COMPENSATION OF DIRECTORS. (a) A director
18 may not receive any remuneration or emolument of office, but the
19 director is entitled to reimbursement for the actual expenses
20 incurred in performing the director's duties, to the extent
21 authorized and permitted by the board.

22 (b) In all areas of conflict with Subsection (a) of this
23 section, Section 49.060, Water Code, takes precedence.

24 (c) A director's compensation may be increased as
25 authorized by Section 49.060, Water Code, by resolution adopted by
26 the board in accordance with Subsection (e) of that section on or
27 after September 1, 1995. (Acts 63rd Leg., R.S., Ch. 619, Sec. 5(a);

1 New.)

2 Sec. 11005.103. QUALIFICATIONS FOR OFFICE. (a) To be
3 eligible to be appointed or to serve as a director, a person:

4 (1) must be a resident, qualified voter of the
5 district;

6 (2) must not hold any other public office; and

7 (3) must not be an officer or employee of the city.

8 (b) A director is eligible for reappointment. (Acts 63rd
9 Leg., R.S., Ch. 619, Secs. 4(a) (part), (b).)

10 Sec. 11005.104. VACANCIES. Any vacancy occurring on the
11 board shall be filled for the unexpired term by appointment in the
12 manner in which the vacating director was appointed. (Acts 63rd
13 Leg., R.S., Ch. 619, Sec. 4(a) (part).)

14 Sec. 11005.105. REMOVAL FROM OFFICE. (a) After reasonable
15 notice and a public hearing, the board may remove a director from
16 office for misfeasance, malfeasance, or wilful neglect of duty.

17 (b) Reasonable notice and a public hearing are not required
18 if the notice and hearing are expressly waived in writing. (Acts
19 63rd Leg., R.S., Ch. 619, Sec. 4(c).)

20 Sec. 11005.106. BOARD RESOLUTIONS; QUORUM; VOTING
21 REQUIREMENTS. (a) The district shall act through resolutions
22 adopted by the board.

23 (b) Three directors constitute a quorum.

24 (c) Each director has a vote.

25 (d) The affirmative vote of at least three directors is
26 necessary to adopt any resolution. (Acts 63rd Leg., R.S., Ch. 619,
27 Sec. 5(c).)

1 Sec. 11005.107. OFFICERS AND ASSISTANTS. (a) The board
2 shall elect a president, vice president, secretary, and treasurer
3 at the first meeting of the board in March of each year or at any
4 time necessary to fill a vacancy.

5 (b) The board shall elect the president and vice president
6 from among the directors.

7 (c) The president shall serve for a term of one year.

8 (d) The offices of secretary and treasurer:

9 (1) may be held by one person; and

10 (2) are not required to be held by a director.

11 (e) The board may appoint as assistant board secretary one
12 or more persons who are not directors. (Acts 63rd Leg., R.S., Ch.
13 619, Secs. 5(b) (part), (d) (part).)

14 Sec. 11005.108. DUTIES OF OFFICERS AND ASSISTANTS. (a) The
15 board president shall preside at board meetings and perform other
16 duties prescribed by the board.

17 (b) The board secretary is the official custodian of the
18 minutes, books, records, and seal of the board and shall perform
19 other duties and functions prescribed by the board. An assistant
20 board secretary may perform any duty or function of the board
21 secretary.

22 (c) The board treasurer shall perform duties and functions
23 prescribed by the board. (Acts 63rd Leg., R.S., Ch. 619, Sec. 5(b)
24 (part).)

25 Sec. 11005.109. MEETINGS. The board shall have regular
26 meetings at times specified by board resolution and shall have
27 special meetings when called by the board president or by any three

1 directors. (Acts 63rd Leg., R.S., Ch. 619, Sec. 5(e).)

2 Sec. 11005.110. PERSONAL LIABILITY OF DIRECTORS. A
3 director is not personally liable for any bond issued or contract
4 executed by the district. (Acts 63rd Leg., R.S., Ch. 619, Sec.
5 5(f).)

6 SUBCHAPTER D. POWERS AND DUTIES

7 Sec. 11005.151. DISTRICT POWERS. The district may exercise
8 any power necessary or appropriate to achieve the purposes of this
9 chapter, including the power to:

- 10 (1) sue and be sued, and plead and be impleaded, in its
11 own name;
- 12 (2) adopt an official seal;
- 13 (3) adopt and enforce bylaws and rules for the conduct
14 of its affairs;
- 15 (4) acquire, hold, use, and dispose of its receipts
16 and money from any source;
- 17 (5) select a depository or depositories;
- 18 (6) acquire, own, rent, lease, accept, hold, or
19 dispose of property, or an interest in property, including a right
20 or easement, by purchase, exchange, gift, assignment,
21 condemnation, sale, lease, or otherwise, in performing district
22 duties or exercising district powers under this chapter;
- 23 (7) hold, manage, operate, or improve property;
- 24 (8) lease or rent any land, building, structure, or
25 facility from or to any person;
- 26 (9) sell, assign, lease, encumber, mortgage, or
27 otherwise dispose of property, or an interest in property, and

1 release or relinquish a right, title, claim, lien, interest,
2 easement, or demand, regardless of the manner in which acquired,
3 and conduct a transaction authorized by this subdivision by public
4 or private sale, with or without public bidding;

5 (10) issue bonds, provide for and secure the payment
6 of the bonds, and provide for the rights of the holders of the bonds
7 in the manner and to the extent authorized by this chapter;

8 (11) request and accept any appropriation, grant,
9 allocation, subsidy, guaranty, aid, service, material, or gift from
10 any source, including the federal government, the state, a public
11 agency, or a political subdivision;

12 (12) operate and maintain an office;

13 (13) appoint and determine the duties, tenure,
14 qualifications, and compensation of officers, employees, agents,
15 professional advisors, and counselors considered necessary or
16 advisable by the board, including financial consultants,
17 accountants, attorneys, architects, engineers, appraisers, and
18 financing experts; and

19 (14) exercise any power granted by Chapter 30, Water
20 Code, to districts created under Section 59, Article XVI, Texas
21 Constitution. (Acts 63rd Leg., R.S., Ch. 619, Sec. 6 (part).)

22 Sec. 11005.152. PERMITS. (a) The district may obtain
23 through appropriate proceedings an appropriation permit or a
24 diversion permit from the Texas Commission on Environmental
25 Quality.

26 (b) The district may acquire a water appropriation permit
27 from a permit owner by contract or otherwise. (Acts 63rd Leg., R.S.,

1 Ch. 619, Sec. 8 (part).)

2 Sec. 11005.153. GENERAL AUTHORITY OF PUBLIC AGENCIES AND
3 POLITICAL SUBDIVISIONS TO CONTRACT WITH DISTRICT. A public agency
4 or political subdivision of this state, including the city, may
5 enter into a contract or agreement with the district, on terms
6 agreed to by the parties, for any purpose relating to the district's
7 powers or functions, including a contract or agreement for a water
8 supply. Approval, notice, consent, or an election is not required
9 in connection with the contract or agreement. (Acts 63rd Leg.,
10 R.S., Ch. 619, Sec. 9(b) (part).)

11 Sec. 11005.154. DISTRICT AUTHORITY TO CONTRACT TO SUPPLY
12 WATER. (a) The district may contract with municipalities and
13 others, including the city, to supply water to them. The district
14 may sell water inside or outside the boundaries of the district.

15 (b) The district may contract with a public agency or
16 political subdivision for the rental or leasing of or for the
17 operation of the water production, water supply, water filtration
18 or purification, and water supply facilities of the entity on the
19 consideration agreed to by the district and the entity.

20 (c) A contract under Subsection (a) or (b) may:

21 (1) be on terms and for the time agreed to by the
22 parties; and

23 (2) provide that it will continue in effect until
24 bonds specified in it and refunding bonds issued in lieu of the
25 bonds are paid.

26 (d) The district may contract with the city for the
27 operation of the district's water facilities by the city. An

1 election is not required in connection with the contract. (Acts
2 63rd Leg., R.S., Ch. 619, Secs. 9(a) (part), 19.)

3 Sec. 11005.155. SOURCES FOR WATER; ACQUISITION OF LAND;
4 STORAGE CAPACITY. (a) The district may acquire or construct,
5 inside or outside the district, a reservoir or any work, plant,
6 transmission line, or other facility necessary or useful to divert,
7 impound, store, treat, or transport to the city and others water for
8 municipal, domestic, industrial, mining, oil flooding, or any other
9 useful purpose.

10 (b) The district may develop or otherwise acquire
11 underground sources of water.

12 (c) The district may acquire land, or an interest in land,
13 inside or outside the district, for any work, plant, or other
14 facility necessary or useful to divert, impound, store, treat, or
15 transport to the city and others water for municipal, domestic,
16 industrial, mining, oil flooding, or any other useful purpose.

17 (d) The district may lease, purchase, or otherwise acquire
18 rights in and to storage and storage capacity in any reservoir
19 constructed or to be constructed by any person or from the United
20 States. (Acts 63rd Leg., R.S., Ch. 619, Secs. 8 (part), 9(a)
21 (part), 10 (part).)

22 Sec. 11005.156. CONSTRUCTION CONTRACTS. (a) The district
23 may award a construction contract that requires an expenditure of
24 more than \$5,000 only after publication of notice to bidders once
25 each week for two weeks in a newspaper of general circulation in the
26 district.

27 (b) The notice is sufficient if it states:

- 1 (1) the time and place for opening the bids;
2 (2) the general nature of the work to be done or the
3 material, equipment, or supplies to be purchased; and
4 (3) where the terms of bidding and copies of the plans
5 and specifications may be obtained. (Acts 63rd Leg., R.S., Ch. 619,
6 Sec. 12.)

7 Sec. 11005.157. CONVEYANCE OF LAND TO DISTRICT. A public
8 agency or political subdivision of this state, including the city,
9 may lease, sell, or otherwise convey its land or an interest in its
10 land to the district for consideration that the parties agree is
11 adequate. Approval, notice, consent, or an election is not
12 required in connection with the conveyance. (Acts 63rd Leg., R.S.,
13 Ch. 619, Sec. 9(b) (part).)

14 Sec. 11005.158. SURPLUS PROPERTY. Subject to the terms of a
15 resolution or deed of trust authorizing or securing bonds issued by
16 the district, the district may sell, lease, rent, trade, or
17 otherwise dispose of property that the board considers is not
18 needed for a district purpose. (Acts 63rd Leg., R.S., Ch. 619, Sec.
19 10 (part).)

20 Sec. 11005.159. EMINENT DOMAIN. (a) To carry out a power
21 conferred by this chapter, the district may exercise the power of
22 eminent domain to acquire the fee simple title to land, or any other
23 interest in land, and other property and easements, inside or
24 outside the district, including land or an interest in land needed
25 for a reservoir, dam, or flood easement above the probable
26 high-water line around a reservoir.

27 (b) The district must exercise the power of eminent domain

1 in the manner provided by Chapter 21, Property Code.

2 (c) The district is a municipal corporation for the purposes
3 of Chapter 21, Property Code.

4 (d) The board shall determine the amount and the type of
5 interest in land, other property, or easements to be acquired under
6 this section. (Acts 63rd Leg., R.S., Ch. 619, Sec. 11(a) (part).)

7 Sec. 11005.160. COST OF RELOCATING OR ALTERING PROPERTY;
8 RIGHTS-OF-WAY AND EASEMENTS. (a) If the district's exercise of its
9 eminent domain, police, or other power requires relocating,
10 raising, lowering, rerouting, or changing the grade of or altering
11 the construction of any railroad, electric transmission,
12 telegraph, or telephone line, conduit, pole, property, or facility
13 or pipeline, the action shall be accomplished at the sole expense of
14 the district. The term "sole expense" means the actual cost of the
15 lowering, rerouting, or change in grade or alteration of
16 construction to provide a comparable replacement without enhancing
17 the facility, after deducting from the cost the net salvage value
18 derived from the old facility.

19 (b) The district has all necessary or useful rights-of-way
20 and easements along, over, under, and across all public, state,
21 municipal, and county roads, highways, and places for any of its
22 purposes. The district shall restore a used facility to its
23 previous condition as nearly as possible at the sole expense of the
24 district. (Acts 63rd Leg., R.S., Ch. 619, Secs. 11(b), (c).)

25 Sec. 11005.161. OTHER DISTRICT POWERS. The district has
26 the same power as is conferred by general law on municipal utility
27 districts or on water control and improvement districts, with

1 reference to entering land and making surveys and attending to
2 other business of the district. (Acts 63rd Leg., R.S., Ch. 619,
3 Sec. 11(a) (part).)

4 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

5 Sec. 11005.201. DEPOSITORY. (a) The board shall designate
6 one or more banks inside or outside the district to serve as the
7 depository for the district's money.

8 (b) District money shall be deposited in the depository
9 designated by the board, except that:

10 (1) bond proceeds and money pledged to pay bonds, to
11 the extent provided in a resolution or trust indenture authorizing
12 or securing district bonds, may be deposited with another bank or
13 trustee named in the bond resolution or trust indenture; and

14 (2) money shall be remitted to each paying agent for
15 the payment of principal of and interest on the bonds.

16 (c) To the extent that money in a depository bank or trustee
17 bank is not insured by the Federal Deposit Insurance Corporation,
18 the money must be secured in the manner provided by law for the
19 security of municipal money. (Acts 63rd Leg., R.S., Ch. 619, Sec.
20 20 (part).)

21 Sec. 11005.202. INVESTMENT OF DISTRICT MONEY. The board
22 may invest district money in obligations and make time deposits of
23 district money in the manner determined by the board or in the
24 manner permitted or required in a resolution or trust indenture
25 authorizing or securing district bonds. (Acts 63rd Leg., R.S., Ch.
26 619, Sec. 20 (part).)

27 Sec. 11005.203. DISTRICT FACILITIES EXEMPT FROM TAXATION

1 AND ASSESSMENT. The district is not required to pay a tax or
2 assessment on its facilities or any part of its facilities. (Acts
3 63rd Leg., R.S., Ch. 619, Sec. 22 (part).)

4 SUBCHAPTER F. BONDS

5 Sec. 11005.251. AUTHORITY TO ISSUE BONDS. (a) The district
6 may issue bonds payable from and secured by revenue or ad valorem
7 taxes, or both revenue and ad valorem taxes, of the district to
8 carry out any power conferred by this chapter. The bonds must be
9 authorized by a board resolution.

10 (b) The bonds must be issued in the manner and under the
11 terms of the resolution authorizing the issuance of the bonds.
12 (Acts 63rd Leg., R.S., Ch. 619, Secs. 14(a), (b) (part), (e)
13 (part).)

14 Sec. 11005.252. FORM OF BONDS. District bonds must be:

- 15 (1) issued in the district's name;
16 (2) signed by the president or vice president; and
17 (3) attested by the secretary. (Acts 63rd Leg., R.S.,
18 Ch. 619, Sec. 14(b) (part).)

19 Sec. 11005.253. MATURITY. District bonds must mature not
20 later than 40 years after the date of their issuance. (Acts 63rd
21 Leg., R.S., Ch. 619, Sec. 14(b) (part).)

22 Sec. 11005.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM
23 TAXES. (a) Bonds, other than refunding bonds, payable wholly or
24 partly from ad valorem taxes may not be issued unless authorized by
25 a majority of the district voters voting at an election held for
26 that purpose.

27 (b) The board may call an election under this section

1 without a petition. The resolution calling the election must
2 specify:

3 (1) the time and place at which the election will be
4 held;

5 (2) the purpose for which the bonds will be issued;

6 (3) the amount of the bonds;

7 (4) the form of the ballot; and

8 (5) other matters the board considers necessary or
9 advisable.

10 (c) Notice of the election must be given by publishing a
11 substantial copy of the resolution calling the election in a
12 newspaper of general circulation in the district. The notice must
13 be published once each week for two consecutive weeks. The first
14 publication must be not later than the 14th day before the date of
15 the election.

16 (d) The district may issue bonds not payable wholly or
17 partly from ad valorem taxes without an election. (Acts 63rd Leg.,
18 R.S., Ch. 619, Secs. 17(a) (part), (b).)

19 Sec. 11005.255. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.

20 (a) District bonds issued may be secured by a pledge of all or part
21 of the district's revenue, or by all or part of the revenue of one or
22 more contracts previously or subsequently made or other revenue or
23 income specified by board resolution or a trust indenture securing
24 the bonds. The pledge may reserve the right, under conditions
25 specified by the pledge, to issue additional bonds that will be on a
26 parity with or subordinate to the bonds then being issued.

27 (b) The district may issue bonds secured by both taxes and

1 revenue of the district described by Subsection (a). (Acts 63rd
2 Leg., R.S., Ch. 619, Secs. 14(d), (e) (part).)

3 Sec. 11005.256. BONDS PAYABLE FROM AD VALOREM TAXES. (a)
4 If bonds are issued payable wholly or partly from ad valorem taxes,
5 the board shall annually impose a tax on the taxable property in the
6 district in an amount sufficient to pay the principal of and
7 interest on the bonds when due.

8 (b) The district may adopt the rate of a tax imposed under
9 Subsection (a) for any year after giving consideration to the money
10 received from the pledged revenue that may be available for payment
11 of principal and interest, to the extent and in the manner permitted
12 by the resolution authorizing the issuance of the bonds. (Acts 63rd
13 Leg., R.S., Ch. 619, Secs. 14(e) (part), 23(b) (part).)

14 Sec. 11005.257. ADDITIONAL SECURITY. (a) District bonds,
15 including refunding bonds, that are not payable wholly from ad
16 valorem taxes may be additionally secured, at the discretion of the
17 board, by a deed of trust or mortgage lien on physical property of
18 the district and all franchises, easements, water rights and
19 appropriation permits, leases, and contracts and all rights
20 appurtenant to the property, vesting in the trustee power to:

- 21 (1) sell the property for the payment of the debt;
22 (2) operate the property; and
23 (3) take other action to further secure the bonds.

24 (b) A purchaser under a sale under the deed of trust lien, if
25 one is given:

- 26 (1) is the absolute owner of property, facilities, and
27 rights purchased; and

1 (2) is entitled to maintain and operate the property,
2 facilities, and rights. (Acts 63rd Leg., R.S., Ch. 619, Sec. 16
3 (part).)

4 Sec. 11005.258. TRUST INDENTURE. (a) District bonds,
5 including refunding bonds, that are not payable wholly from ad
6 valorem taxes may be additionally secured by a trust indenture. The
7 trustee may be a bank with trust powers located inside or outside
8 the state.

9 (b) A trust indenture, regardless of the existence of a deed
10 of trust or mortgage lien on property, may:

11 (1) provide for the security of the bonds and the
12 preservation of the trust estate as prescribed by the board;

13 (2) provide for amendment or modification of the trust
14 indenture;

15 (3) provide for the issuance of bonds to replace lost
16 or mutilated bonds;

17 (4) condition the right to spend district money or
18 sell district property on the approval of a licensed engineer
19 selected as provided by the trust indenture; and

20 (5) provide for the investment of district money.
21 (Acts 63rd Leg., R.S., Ch. 619, Sec. 16 (part).)

22 Sec. 11005.259. RATES FOR SERVICES; PAYMENT OF REVENUE
23 BONDS. (a) If district bonds payable wholly from revenue are
24 issued, the board shall set the rates of compensation for water sold
25 and services provided by the district. The rates must be sufficient
26 to:

27 (1) pay the expense of operating and maintaining

1 district facilities;

2 (2) pay the principal of and interest on the bonds when
3 due; and

4 (3) maintain the reserve fund and other funds as
5 provided in the resolution authorizing the bonds.

6 (b) If bonds payable partly from revenue are issued, the
7 board shall set the rate of compensation for water sold and any
8 other services provided by the district. The rate must be
9 sufficient to ensure compliance with the resolution authorizing the
10 bonds or the trust indenture securing the bonds. (Acts 63rd Leg.,
11 R.S., Ch. 619, Sec. 14(f).)

12 Sec. 11005.260. USE OF BOND PROCEEDS. (a) The district may
13 set aside an amount of proceeds from the sale of district bonds for:

14 (1) the payment of interest expected to accrue during
15 construction not to exceed three years;

16 (2) a reserve interest and sinking fund; and

17 (3) other funds as may be provided in the resolution
18 authorizing the bonds or in the trust indenture.

19 (b) The district may use proceeds from the sale of the bonds
20 to pay any expense necessarily incurred in accomplishing the
21 purpose of the district, including any expense of issuing and
22 selling the bonds. (Acts 63rd Leg., R.S., Ch. 619, Sec. 14(g).)

23 Sec. 11005.261. APPOINTMENT OF RECEIVER. (a) On default or
24 threatened default in the payment of the principal of or interest on
25 district bonds that are payable wholly or partly from revenue, a
26 court may, on petition of the holders of outstanding bonds, appoint
27 a receiver for the district.

1 (b) The receiver may collect and receive all district
2 income, except taxes, employ and discharge district agents and
3 employees, take charge of money on hand, except money received from
4 taxes, unless commingled, and manage the proprietary affairs of the
5 district without consent or hindrance by the board.

6 (c) The receiver may be authorized to sell or contract for
7 the sale of water or to renew those contracts with the approval of
8 the court that appointed the receiver.

9 (d) The court may vest the receiver with any other power or
10 duty the court finds necessary to protect the bondholders. (Acts
11 63rd Leg., R.S., Ch. 619, Sec. 14(h) (part).)

12 Sec. 11005.262. REFUNDING BONDS. (a) The district may
13 issue refunding bonds to refund outstanding district bonds and
14 interest on those bonds.

15 (b) Refunding bonds may:

16 (1) be issued to refund bonds of more than one series;

17 (2) combine the pledges for the outstanding bonds for
18 the security of the refunding bonds; or

19 (3) be secured by a pledge of other or additional
20 revenue or mortgage liens.

21 (c) The provisions of this subchapter regarding the
22 issuance of other bonds, their security, and the remedies of the
23 holders apply to refunding bonds.

24 (d) The comptroller shall register the refunding bonds on
25 surrender and cancellation of the bonds to be refunded.

26 (e) Instead of issuing bonds to be registered on the
27 surrender and cancellation of the bonds to be refunded, the

1 district, in the resolution authorizing the issuance of the
2 refunding bonds, may provide for the sale of the refunding bonds and
3 the deposit of the proceeds in a bank at which the bonds to be
4 refunded are payable. In that case, the refunding bonds may be
5 issued in an amount sufficient to pay the principal of and interest
6 and any required redemption premium on the bonds to be refunded to
7 any redemption date or to their maturity date, and the comptroller
8 shall register the refunding bonds without the surrender and
9 cancellation of the bonds to be refunded.

10 (f) An election is not required to authorize the issuance of
11 refunding bonds.

12 (g) The district may also issue refunding bonds under any
13 other applicable law. (Acts 63rd Leg., R.S., Ch. 619, Sec. 15.)

14 Sec. 11005.263. LIMITATION ON RIGHTS OF BONDHOLDERS. The
15 resolution authorizing the bonds or the trust indenture securing
16 the bonds may limit or qualify the rights of the holders of less
17 than all of the outstanding bonds payable from the same source to
18 institute or prosecute litigation affecting the district's
19 property or income. (Acts 63rd Leg., R.S., Ch. 619, Sec. 14(h)
20 (part).)

21 Sec. 11005.264. BONDS EXEMPT FROM TAXATION. A district
22 bond, the transfer of the bond, and the income from the bond,
23 including profits made on the sale of the bond, are exempt from
24 taxation in this state. (Acts 63rd Leg., R.S., Ch. 619, Sec. 22
25 (part).)

1 CHAPTER 11006. SOUTH TEXAS WATER AUTHORITY
2 SUBCHAPTER A. GENERAL PROVISIONS
3 Sec. 11006.001. DEFINITIONS
4 Sec. 11006.002. NATURE OF AUTHORITY
5 Sec. 11006.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
6 SUBCHAPTER B. AUTHORITY TERRITORY; ANNEXATION
7 Sec. 11006.051. AUTHORITY TERRITORY
8 Sec. 11006.052. ANNEXATION OF TERRITORY
9 SUBCHAPTER C. BOARD OF DIRECTORS
10 Sec. 11006.101. COMPOSITION OF BOARD; TERMS
11 Sec. 11006.102. QUALIFICATIONS FOR OFFICE
12 Sec. 11006.103. VACANCIES
13 Sec. 11006.104. REMOVAL FROM OFFICE
14 Sec. 11006.105. BOND
15 Sec. 11006.106. BOARD RESOLUTIONS; VOTING
16 Sec. 11006.107. OFFICERS AND ASSISTANTS
17 Sec. 11006.108. DUTIES OF OFFICERS AND ASSISTANTS
18 Sec. 11006.109. MEETINGS
19 Sec. 11006.110. PERSONAL LIABILITY OF DIRECTORS
20 SUBCHAPTER D. POWERS AND DUTIES
21 Sec. 11006.151. GENERAL POWERS
22 Sec. 11006.152. PERMITS
23 Sec. 11006.153. GENERAL POWER OF PUBLIC AGENCIES AND
24 POLITICAL SUBDIVISIONS TO CONTRACT
25 WITH AUTHORITY
26 Sec. 11006.154. CONTRACTS TO SUPPLY WATER

- 1 Sec. 11006.155. SOURCES FOR WATER; ACQUISITION OF
- 2 LAND; STORAGE CAPACITY
- 3 Sec. 11006.156. CONVEYANCE OF LAND TO AUTHORITY
- 4 Sec. 11006.157. SURPLUS PROPERTY
- 5 Sec. 11006.158. EMINENT DOMAIN
- 6 Sec. 11006.159. COST OF RELOCATING OR ALTERING
- 7 PROPERTY; RIGHTS-OF-WAY AND
- 8 EASEMENTS
- 9 Sec. 11006.160. OTHER AUTHORITY POWERS
- 10 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS
- 11 Sec. 11006.201. DEPOSITORY
- 12 Sec. 11006.202. INVESTMENT OF AUTHORITY MONEY
- 13 Sec. 11006.203. AUTHORITY ACCOUNTS
- 14 Sec. 11006.204. AUTHORITY FACILITIES EXEMPT FROM
- 15 TAXATION AND ASSESSMENT
- 16 SUBCHAPTER F. BONDS
- 17 Sec. 11006.251. AUTHORITY TO ISSUE BONDS
- 18 Sec. 11006.252. FORM OF BONDS
- 19 Sec. 11006.253. MATURITY
- 20 Sec. 11006.254. ELECTION FOR BONDS PAYABLE FROM AD
- 21 VALOREM TAXES
- 22 Sec. 11006.255. BONDS SECURED BY REVENUE; ADDITIONAL
- 23 BONDS
- 24 Sec. 11006.256. BONDS PAYABLE FROM AD VALOREM TAXES
- 25 Sec. 11006.257. ADDITIONAL SECURITY
- 26 Sec. 11006.258. TRUST INDENTURE
- 27 Sec. 11006.259. CHARGES FOR AUTHORITY SERVICES

- 1 Sec. 11006.260. USE OF BOND PROCEEDS
- 2 Sec. 11006.261. APPOINTMENT OF RECEIVER
- 3 Sec. 11006.262. REFUNDING BONDS
- 4 Sec. 11006.263. LIMITATION ON RIGHTS OF BONDHOLDERS
- 5 Sec. 11006.264. BONDS EXEMPT FROM TAXATION
- 6 Sec. 11006.265. DETACHMENT OF AUTHORITY TERRITORY

7 AFTER ISSUANCE OF BONDS

8 CHAPTER 11006. SOUTH TEXAS WATER AUTHORITY

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 11006.001. DEFINITIONS. In this chapter:

11 (1) "Authority" means the South Texas Water Authority.

12 (2) "Board" means the board of directors of the
13 authority.

14 (3) "Cities" means the cities of Agua Dulce, Bishop,
15 Driscoll, and Kingsville.

16 (4) "Director" means a member of the board. (Acts 66th
17 Leg., R.S., Ch. 436, Secs. 1 (part), 4(a) (part); New.)

18 Sec. 11006.002. NATURE OF AUTHORITY. The authority is a
19 conservation and reclamation district created under Section 59,
20 Article XVI, Texas Constitution. (Acts 66th Leg., R.S., Ch. 436,
21 Sec. 1 (part).)

22 Sec. 11006.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

23 (a) The authority is created to serve a public use and benefit.

24 (b) All land and other property in the authority will
25 benefit from the works and projects to be accomplished by the
26 authority under powers conferred by Section 59, Article XVI, Texas
27 Constitution.

1 (c) The accomplishment of the purposes stated in this
2 chapter will benefit the people of this state and improve their
3 properties and industries.

4 (d) The authority, in carrying out the purposes of this
5 chapter, will be performing an essential public function under the
6 constitution of this state. (Acts 66th Leg., R.S., Ch. 436, Secs.
7 3, 22 (part).)

8 SUBCHAPTER B. AUTHORITY TERRITORY; ANNEXATION

9 Sec. 11006.051. AUTHORITY TERRITORY. (a) The authority is
10 composed of the territory described by Section 2, Chapter 436, Acts
11 of the 66th Legislature, Regular Session, 1979, as that territory
12 may have been modified under:

13 (1) this subchapter or its predecessor statute,
14 Section 7, Chapter 436, Acts of the 66th Legislature, Regular
15 Session, 1979;

16 (2) Subchapter J, Chapter 49, Water Code; or

17 (3) other law.

18 (b) The boundaries of the authority form a closure. A
19 mistake does not affect:

20 (1) the authority's organization, existence, or
21 validity;

22 (2) the authority's right to issue any type of bond for
23 a purpose for which the authority is created or to pay the principal
24 of and interest on the bond;

25 (3) the authority's right to impose a tax; or

26 (4) the legality or operation of the authority, its
27 bonds, or its governing body. (Acts 66th Leg., R.S., Ch. 436, Sec.

1 2 (part).)

2 Sec. 11006.052. ANNEXATION OF TERRITORY. (a) Territory
3 may be annexed to the authority as provided by this section.

4 (b) The board may annex territory or a municipality under
5 this section only if a petition requesting annexation is signed by
6 50 registered voters of the territory or municipality to be
7 annexed, or a majority of the registered voters of that territory or
8 municipality, whichever is fewer, and is filed with the board. The
9 petition must describe the territory to be annexed by metes and
10 bounds, or otherwise, except that if the territory is the same as
11 that contained in the boundaries of a municipality, the petition is
12 sufficient if it states that the territory to be annexed is the
13 territory contained in the municipal boundaries.

14 (c) If the board determines that the petition complies with
15 Subsection (b), that the annexation would be in the best interest of
16 the territory or municipality and the authority, and that the
17 authority will be able to supply water or have water supplied to the
18 territory or municipality, the board shall:

19 (1) adopt a resolution stating the conditions, if any,
20 under which the territory or municipality may be annexed to the
21 authority; and

22 (2) set a time and place to hold a hearing on the
23 question of whether the territory or municipality to be annexed
24 will benefit from:

25 (A) the improvements, works, or facilities owned
26 or operated or contemplated to be owned or operated by the
27 authority; or

1 (B) the other functions of the authority.

2 (d) At least 10 days before the date of the hearing, notice
3 of the adoption of the resolution stating the time and place of the
4 hearing must be published one time in a newspaper of general
5 circulation in the territory or municipality proposed to be
6 annexed. The notice must describe the territory in the same manner
7 in which Subsection (b) requires the petition to describe the
8 territory.

9 (e) Any interested person may appear at the hearing and
10 offer evidence for or against the annexation.

11 (f) The hearing may proceed in the order and under the rules
12 prescribed by the board and may be recessed from time to time.

13 (g) If, at the conclusion of the hearing, the board finds
14 that the property in the territory or municipality will benefit
15 from the present or contemplated improvements, works, or
16 facilities, the board shall adopt a resolution making a finding of
17 the benefit and calling an election in the territory or
18 municipality to be annexed.

19 (h) The resolution must state:

20 (1) the date of the election;

21 (2) each place where the election will be held; and

22 (3) the proposition to be voted on.

23 (i) At least 10 days before the date set for the election,
24 notice of the election must be given by publishing a substantial
25 copy of the resolution calling the election one time in a newspaper
26 of general circulation in the territory or municipality proposed to
27 be annexed.

1 (j) If a majority of the votes cast at the election are in
2 favor of annexation, the board by resolution shall annex the
3 territory or municipality to the authority.

4 (k) An annexation under this section is incontestable
5 except in the manner and within the time for contesting elections
6 under the Election Code.

7 (1) The board is not required to call an election if:

8 (1) a petition requesting annexation is signed by all
9 residents and landowners of the territory or municipality to be
10 annexed, the same as provided by law for conveyance of real
11 property; and

12 (2) the petition:

13 (A) states that the petitioners:

14 (i) approve their share of the outstanding
15 bonds or other obligations and the unissued bonds, if any, of the
16 authority; and

17 (ii) authorize the board to set rates
18 sufficient to pay their share of the debt and impose taxes
19 sufficient to pay those bonds, if authorized; and

20 (B) is filed in the office of the county clerk of
21 each county in which the authority is located. (Acts 66th Leg.,
22 R.S., Ch. 436, Secs. 7(a), (b), (c) (part), (d) (part), (e).)

23 SUBCHAPTER C. BOARD OF DIRECTORS

24 Sec. 11006.101. COMPOSITION OF BOARD; TERMS. (a) The
25 authority is governed by a board of nine directors. The directors
26 occupy numbered places on the board. The Commissioners Court of
27 Kleberg County shall appoint directors for Places 1, 3, 5, 7, and 9,

1 and the Commissioners Court of Nueces County shall appoint
2 directors for Places 2, 4, 6, and 8.

3 (b) Directors serve staggered two-year terms, with the
4 terms of the directors occupying Places 1, 2, 3, and 4 commencing at
5 12:01 a.m. on April 1 of each even-numbered year and the terms of
6 the directors occupying Places 5, 6, 7, 8, and 9 commencing at 12:01
7 a.m. on April 1 of each odd-numbered year.

8 (c) In March of each year, the appropriate commissioners
9 court shall appoint directors to the appropriate places on the
10 board. (Acts 66th Leg., R.S., Ch. 436, Sec. 4(a) (part).)

11 Sec. 11006.102. QUALIFICATIONS FOR OFFICE. (a) To be
12 eligible to be appointed or to serve as a director, a person:

- 13 (1) must be a resident, qualified voter of:
14 (A) the authority; and
15 (B) the county from which the person is
16 appointed; and
17 (2) may not:
18 (A) hold another public office; or
19 (B) be an officer or employee of the authority.

20 (b) Of the directors appointed by the Commissioners Court of
21 Nueces County:

- 22 (1) one must be a resident of the municipality of Agua
23 Dulce;
24 (2) one must be a resident of the municipality of
25 Bishop;
26 (3) one must be a resident of the municipality of
27 Driscoll; and

1 (4) one must be appointed at large and may be a
2 resident of any of those municipalities.

3 (c) A director is eligible for reappointment. (Acts 66th
4 Leg., R.S., Ch. 436, Secs. 4(a) (part), (b).)

5 Sec. 11006.103. VACANCIES. Any vacancy occurring on the
6 board shall be filled for the unexpired term by appointment in the
7 manner in which the vacating director was appointed. (Acts 66th
8 Leg., R.S., Ch. 436, Sec. 4(a) (part).)

9 Sec. 11006.104. REMOVAL FROM OFFICE. After reasonable
10 notice and a public hearing, the board may remove a director from
11 office for misfeasance, malfeasance, or wilful neglect of duty.
12 Reasonable notice and a public hearing are not required if the
13 notice and hearing are expressly waived in writing. (Acts 66th
14 Leg., R.S., Ch. 436, Sec. 4(c).)

15 Sec. 11006.105. BOND. Each director shall execute a good
16 and sufficient bond for \$5,000 that is:

17 (1) payable to the authority; and

18 (2) conditioned on the faithful performance of the
19 director's duties. (Acts 66th Leg., R.S., Ch. 436, Sec. 5(b)
20 (part).)

21 Sec. 11006.106. BOARD RESOLUTIONS; VOTING. (a) The
22 authority shall act by resolutions adopted by the board.

23 (b) All directors are entitled to vote. (Acts 66th Leg.,
24 R.S., Ch. 436, Sec. 5(d) (part).)

25 Sec. 11006.107. OFFICERS AND ASSISTANTS. (a) The board
26 shall elect a president, vice president, secretary, and treasurer
27 at the first meeting of the board in April of each year or at any

1 time necessary to fill a vacancy.

2 (b) The board shall elect the president and vice president
3 from among the directors.

4 (c) The president serves for a one-year term.

5 (d) The offices of secretary and treasurer:

6 (1) may be held by one person; and

7 (2) are not required to be held by a director.

8 (e) The board may appoint as assistant board secretary one
9 or more persons who are not directors. (Acts 66th Leg., R.S., Ch.
10 436, Secs. 5(c) (part), (e) (part).)

11 Sec. 11006.108. DUTIES OF OFFICERS AND ASSISTANTS. (a) The
12 board president shall preside at board meetings and perform other
13 duties prescribed by the board.

14 (b) The board vice president shall perform the duties of the
15 president when the president is not present or is otherwise
16 incapacitated.

17 (c) The board secretary is the official custodian of the
18 minutes, books, records, and seal of the board and shall perform
19 other duties and functions prescribed by the board. An assistant
20 board secretary may perform any duty or function of the board
21 secretary.

22 (d) The board treasurer shall perform duties and functions
23 prescribed by the board. (Acts 66th Leg., R.S., Ch. 436, Sec. 5(c)
24 (part).)

25 Sec. 11006.109. MEETINGS. The board shall have regular
26 meetings at times specified by board resolution and shall have
27 special meetings when called by the board president or by any three

1 directors. (Acts 66th Leg., R.S., Ch. 436, Sec. 5(f).)

2 Sec. 11006.110. PERSONAL LIABILITY OF DIRECTORS. A
3 director is not personally liable for a bond issued or contract
4 executed by the authority. (Acts 66th Leg., R.S., Ch. 436, Sec.
5 5(g).)

6 SUBCHAPTER D. POWERS AND DUTIES

7 Sec. 11006.151. GENERAL POWERS. The authority may exercise
8 any power necessary or appropriate to achieve the purposes of this
9 chapter, including the power to:

- 10 (1) sue and be sued and plead and be impleaded in its
11 own name;
- 12 (2) adopt an official seal;
- 13 (3) adopt and enforce bylaws and rules for the conduct
14 of its affairs;
- 15 (4) acquire, hold, use, and dispose of its receipts
16 and money from any source;
- 17 (5) select a depository or depositories;
- 18 (6) acquire, own, rent, lease, accept, hold, or
19 dispose of property, or an interest in property, including a right
20 or easement, by purchase, exchange, gift, assignment,
21 condemnation, sale, lease, or otherwise, in performing authority
22 duties or exercising authority powers under this chapter;
- 23 (7) hold, manage, operate, or improve property;
- 24 (8) lease or rent any land, building, structure, or
25 facility from or to any person;
- 26 (9) sell, assign, lease, encumber, mortgage, or
27 otherwise dispose of property, or an interest in property, and

1 release or relinquish a right, title, claim, lien, interest,
2 easement, or demand, regardless of the manner in which acquired,
3 and conduct a transaction authorized by this subdivision by public
4 or private sale, with or without public bidding, notwithstanding
5 any other law;

6 (10) issue bonds, provide for and secure the payment
7 of the bonds, and provide for the rights of the holders of the bonds
8 in the manner and to the extent authorized by this chapter;

9 (11) request and accept any appropriation, grant,
10 allocation, subsidy, guaranty, aid, service, material, or gift from
11 any source, including the federal government, the state, a public
12 agency, or a political subdivision;

13 (12) operate and maintain an office;

14 (13) appoint and determine the duties, tenure,
15 qualifications, and compensation of officers, employees, agents,
16 professional advisors, and counselors, including financial
17 consultants, accountants, attorneys, architects, engineers,
18 appraisers, and financing experts considered necessary or
19 advisable by the board; and

20 (14) exercise any power granted by Chapter 383, Health
21 and Safety Code, or Chapter 30, Water Code. (Acts 66th Leg., R.S.,
22 Ch. 436, Secs. 6(a), (b), (c), (d), (e), (f), (g), (h), (i), (k).)

23 Sec. 11006.152. PERMITS. (a) The authority may obtain,
24 through appropriate proceedings, an appropriation permit or a
25 diversion permit from the Texas Commission on Environmental
26 Quality.

27 (b) The authority may acquire a water appropriation permit

1 from a permit owner by contract or otherwise. (Acts 66th Leg.,
2 R.S., Ch. 436, Sec. 8 (part).)

3 Sec. 11006.153. GENERAL POWER OF PUBLIC AGENCIES AND
4 POLITICAL SUBDIVISIONS TO CONTRACT WITH AUTHORITY. A public agency
5 or political subdivision of this state, including the cities, may
6 enter into a contract or agreement with the authority, on terms
7 agreed to by the parties, for any purpose relating to the
8 authority's powers or functions. Approval, notice, consent, or an
9 election is not required in connection with the contract or
10 agreement. (Acts 66th Leg., R.S., Ch. 436, Sec. 9(b) (part).)

11 Sec. 11006.154. CONTRACTS TO SUPPLY WATER. (a) The
12 authority may contract with public agencies or political
13 subdivisions, including the cities, to supply water to them. The
14 authority may sell water inside or outside the boundaries of the
15 authority.

16 (b) Contracts under Subsection (a) may provide that the
17 contractual payments by the political subdivisions:

18 (1) will be payable from revenue or the imposition of
19 taxes or both; and

20 (2) will constitute the purchase of the authority's
21 system at the time all indebtedness incurred by the authority for
22 acquisition, construction, improvement, and extensions of the
23 system is paid in full.

24 (c) The authority may contract with a public agency or
25 political subdivision for the rental or leasing of or for the
26 operation of the water supply, water, and filtration or
27 purification facilities of the entity for the consideration agreed

1 to by the authority and the entity.

2 (d) A contract under Subsection (a) or (c) may:

3 (1) be on the terms and for the time agreed to by the
4 parties; and

5 (2) provide that it will continue in effect until
6 bonds specified in it and refunding bonds issued in lieu of the
7 bonds are paid.

8 (e) The authority may enter into contracts or agreements
9 with the Nueces River Authority and the City of Corpus Christi for
10 the purchase of water.

11 (f) The authority and the City of Corpus Christi may enter
12 into contracts or agreements for the sale of water and the operation
13 and maintenance of the authority's water lines if considered
14 advisable.

15 (g) Public agencies or political subdivisions of this
16 state, including the cities, may enter into contracts or agreements
17 with the authority for a water supply.

18 (h) Approval, notice, consent, or an election is not
19 required in connection with a contract or agreement described by
20 Subsection (e), (f), or (g). (Acts 66th Leg., R.S., Ch. 436, Secs.
21 9(a) (part), (b) (part), 19.)

22 Sec. 11006.155. SOURCES FOR WATER; ACQUISITION OF LAND;
23 STORAGE CAPACITY. (a) The authority may acquire or construct,
24 inside or outside the authority, any work, well, plant,
25 transmission line, or other facility necessary or useful to divert,
26 impound, drill for, store, treat, or transport water to the cities
27 for municipal, domestic, agricultural, industrial, or any other

1 useful purposes.

2 (b) The authority may develop or otherwise acquire
3 underground sources of water.

4 (c) The authority may acquire land, or an interest in land,
5 inside or outside the authority for any reservoir, work, well,
6 plant, transmission line, or other facility necessary or useful to
7 impound, store, treat, or transport water to the cities and others
8 for municipal, domestic, agricultural, industrial, mining, oil
9 flooding, or any other useful purposes.

10 (d) The authority may lease, purchase, or otherwise acquire
11 rights in and to storage and storage capacity in any reservoir
12 constructed or to be constructed by any person. (Acts 66th Leg.,
13 R.S., Ch. 436, Secs. 8 (part), 9(a) (part), 10 (part).)

14 Sec. 11006.156. CONVEYANCE OF LAND TO AUTHORITY. A public
15 agency or political subdivision of this state, including the
16 cities, may lease, sell, or otherwise convey its land or an interest
17 in its land to the authority for the consideration that the parties
18 agree is adequate. Approval, notice, consent, or an election is not
19 required in connection with the conveyance. (Acts 66th Leg., R.S.,
20 Ch. 436, Sec. 9(b) (part).)

21 Sec. 11006.157. SURPLUS PROPERTY. Subject to the terms of a
22 resolution or deed of trust authorizing or securing bonds issued by
23 the authority, the authority may sell, lease, rent, trade, or
24 otherwise dispose of property that the board considers not needed
25 for an authority purpose. (Acts 66th Leg., R.S., Ch. 436, Sec. 10
26 (part).)

27 Sec. 11006.158. EMINENT DOMAIN. (a) To carry out a power

1 conferred by this chapter, the authority may exercise the power of
2 eminent domain to acquire the fee simple title to land, or any other
3 interest in land, and other property and easements, inside or
4 outside the authority, including land or an interest in land needed
5 for a reservoir, dam, or flood easement above the probable
6 high-water line around a reservoir.

7 (b) The authority must exercise the power of eminent domain
8 in the manner provided by Chapter 21, Property Code.

9 (c) The authority is a municipal corporation for the
10 purposes of Chapter 21, Property Code.

11 (d) The board shall determine the amount and the type of
12 interest in land, other property, or easements to be acquired.
13 (Acts 66th Leg., R.S., Ch. 436, Sec. 11(a) (part).)

14 Sec. 11006.159. COST OF RELOCATING OR ALTERING PROPERTY;
15 RIGHTS-OF-WAY AND EASEMENTS. (a) If the authority's exercise of
16 its eminent domain, police, or other power requires relocating,
17 raising, lowering, rerouting, or changing the grade of or altering
18 the construction of any railroad, electric transmission,
19 telegraph, or telephone line, conduit, pole, property, or facility
20 or pipeline, the action shall be accomplished at the sole expense of
21 the authority. The term "sole expense" means the actual cost of the
22 raising, lowering, rerouting, or change in grade or alteration of
23 construction to provide a comparable replacement without enhancing
24 the facility, after deducting from the cost the net salvage value
25 derived from the old facility.

26 (b) The authority has all necessary or useful rights-of-way
27 and easements along, over, under, and across all public, state,

1 municipal, and county roads, highways, and places for any of its
2 purposes. The authority shall restore a used facility to its
3 previous condition as nearly as possible at the sole expense of the
4 authority. (Acts 66th Leg., R.S., Ch. 436, Secs. 11(b), (c).)

5 Sec. 11006.160. OTHER AUTHORITY POWERS. The authority has
6 the same power as is conferred by general law on municipal utility
7 districts and on water control and improvement districts with
8 reference to entering land, making surveys, and attending to other
9 business of the authority. (Acts 66th Leg., R.S., Ch. 436, Sec.
10 11(a) (part).)

11 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

12 Sec. 11006.201. DEPOSITORY. (a) The board shall designate
13 one or more banks inside or outside the authority to serve as the
14 depository for the authority's money.

15 (b) Authority money shall be deposited in the depository
16 designated by the board, except that:

17 (1) bond proceeds and money pledged to pay bonds, to
18 the extent provided in a resolution or trust indenture authorizing
19 or securing authority bonds, may be deposited with another bank or
20 trustee named in the bond resolution or trust indenture; and

21 (2) money shall be remitted to each paying agent for
22 the payment of principal of and interest on the bonds.

23 (c) To the extent that money in a depository bank or a
24 trustee bank is not insured by the Federal Deposit Insurance
25 Corporation, the money must be secured in the manner provided by law
26 for the security of municipal money. (Acts 66th Leg., R.S., Ch.
27 436, Sec. 20 (part).)

1 Ch. 436, Sec. 13(b) (part).)

2 Sec. 11006.253. MATURITY. Authority bonds must mature not
3 later than 50 years after the date of their issuance. (Acts 66th
4 Leg., R.S., Ch. 436, Sec. 13(b) (part).)

5 Sec. 11006.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM
6 TAXES. (a) Bonds, other than refunding bonds, payable wholly or
7 partly from ad valorem taxes may not be issued unless authorized by
8 a majority of the authority voters voting at an election held for
9 that purpose.

10 (b) The board may call an election under this section
11 without a petition. The resolution calling the election must
12 specify:

13 (1) the time and place at which the election will be
14 held;

15 (2) the purpose for which the bonds will be issued;

16 (3) the amount of the bonds;

17 (4) the form of the ballot; and

18 (5) other matters the board considers necessary or
19 advisable.

20 (c) Notice of the election must be given by publishing a
21 substantial copy of the resolution calling the election in a
22 newspaper of general circulation in the authority. The notice must
23 be published once each week for two consecutive weeks. The first
24 publication must be not later than the 14th day before the date of
25 the election.

26 (d) The authority may issue bonds not payable wholly or
27 partly from ad valorem taxes without an election. (Acts 66th Leg.,

1 R.S., Ch. 436, Secs. 16 (part), 17(a) (part), (b).)

2 Sec. 11006.255. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.

3 (a) Authority bonds issued may be secured by a pledge of all or part
4 of the authority's revenue or by all or part of the revenue of one or
5 more contracts made or other revenue or income specified by board
6 resolution or a trust indenture securing the bonds. The pledge may
7 reserve the right, under conditions specified by the pledge, to
8 issue additional bonds that will be on a parity with or subordinate
9 to the bonds then being issued.

10 (b) The authority may issue bonds secured by both taxes and
11 revenue of the authority described by Subsection (a). (Acts 66th
12 Leg., R.S., Ch. 436, Secs. 13(c), (d) (part).)

13 Sec. 11006.256. BONDS PAYABLE FROM AD VALOREM TAXES. (a)
14 If bonds are issued payable wholly or partly from ad valorem taxes,
15 the board shall annually impose a tax on the taxable property in the
16 authority in an amount sufficient to pay the principal of and
17 interest on the bonds when due but not to exceed 20 cents on the \$100
18 valuation of taxable property in the authority.

19 (b) The board may adopt the rate of a tax imposed under
20 Subsection (a) for any year after giving consideration to the money
21 received from the pledged revenue that may be available for payment
22 of principal and interest, to the extent and in the manner permitted
23 by the resolution authorizing the issuance of the bonds. (Acts 66th
24 Leg., R.S., Ch. 436, Secs. 13(d) (part), 24(b) (part).)

25 Sec. 11006.257. ADDITIONAL SECURITY. (a) Authority bonds,
26 including refunding bonds, that are not payable wholly from ad
27 valorem taxes may be additionally secured, at the discretion of the

1 board, by a deed of trust or mortgage lien on physical property of
2 the authority and all franchises, easements, water rights and
3 appropriation permits, leases, and contracts and all rights
4 appurtenant to the property, vesting in the trustee power to:

- 5 (1) sell the property for the payment of the debt;
- 6 (2) operate the property; and
- 7 (3) take other action to further secure the bonds.

8 (b) A purchaser under a sale under the deed of trust lien, if
9 one is given:

- 10 (1) is the absolute owner of property, facilities, and
11 rights purchased; and
- 12 (2) is entitled to maintain and operate the property,
13 facilities, and rights. (Acts 66th Leg., R.S., Ch. 436, Sec. 15
14 (part).)

15 Sec. 11006.258. TRUST INDENTURE. (a) Authority bonds,
16 including refunding bonds, that are not payable wholly from ad
17 valorem taxes may be additionally secured by a trust indenture. The
18 trustee may be a bank with trust powers located inside or outside
19 this state.

20 (b) A trust indenture, regardless of the existence of a deed
21 of trust or mortgage lien on property, may:

- 22 (1) provide for the security of the bonds and the
23 preservation of the trust estate as prescribed by the board;
- 24 (2) provide for amendment or modification of the trust
25 indenture;
- 26 (3) provide for the issuance of bonds to replace lost
27 or mutilated bonds;

1 (4) condition the right to spend authority money or
2 sell authority property on the approval of a licensed engineer
3 selected as provided by the trust indenture; and

4 (5) provide for the investment of authority money.
5 (Acts 66th Leg., R.S., Ch. 436, Sec. 15 (part).)

6 Sec. 11006.259. CHARGES FOR AUTHORITY SERVICES. (a) If
7 authority bonds payable wholly from revenue are issued, the board
8 shall set and from time to time revise the rates of compensation for
9 water sold and services provided by the authority. The rates must
10 be sufficient to:

11 (1) pay the expenses of operating and maintaining
12 authority facilities;

13 (2) pay the principal of and interest on the bonds when
14 due; and

15 (3) maintain the reserve fund and other funds as
16 provided in the resolution authorizing the bonds.

17 (b) If bonds payable partly from revenue are issued, the
18 board shall set and from time to time revise the rate of
19 compensation for water sold and any other services provided by the
20 authority. The rate must be sufficient to ensure compliance with
21 the resolution authorizing the bonds or the trust indenture
22 securing the bonds. (Acts 66th Leg., R.S., Ch. 436, Sec. 13(e).)

23 Sec. 11006.260. USE OF BOND PROCEEDS. (a) The authority
24 may set aside an amount of proceeds of the sale of authority bonds
25 for:

26 (1) the payment of interest expected to accrue during
27 construction not to exceed three years;

1 (2) a reserve interest and sinking fund; and

2 (3) other funds as may be provided in the resolution
3 authorizing the bonds or in the trust indenture.

4 (b) The authority may use proceeds from the sale of bonds to
5 pay any expense necessarily incurred in accomplishing the purpose
6 of the authority, including:

7 (1) any expense of issuing and selling the bonds; and

8 (2) the amount needed to operate the authority during
9 construction of the improvements. (Acts 66th Leg., R.S., Ch. 436,
10 Sec. 13(f).)

11 Sec. 11006.261. APPOINTMENT OF RECEIVER. (a) On default or
12 threatened default in the payment of the principal of or interest on
13 authority bonds that are payable wholly or partly from revenue, a
14 court may, on petition of the holders of outstanding bonds, appoint
15 a receiver for the authority.

16 (b) The receiver may collect and receive all authority
17 income, employ and discharge authority agents and employees, take
18 charge of money on hand, and manage the proprietary affairs of the
19 authority without consent or hindrance by the board.

20 (c) The receiver may be authorized to sell or contract for
21 the sale of water or to renew contracts with the approval of the
22 court that appointed the receiver.

23 (d) The court may vest the receiver with any other power or
24 duty the court finds necessary to protect the bondholders. (Acts
25 66th Leg., R.S., Ch. 436, Sec. 13(g) (part).)

26 Sec. 11006.262. REFUNDING BONDS. (a) The authority may
27 issue refunding bonds to refund outstanding authority bonds and

1 interest on those bonds.

2 (b) Refunding bonds may:

3 (1) be issued to refund bonds of more than one series;

4 (2) combine the pledges for the outstanding bonds for
5 the security of the refunding bonds; or

6 (3) be secured by a pledge of other or additional
7 revenue or mortgage liens.

8 (c) The provisions of this subchapter regarding the
9 issuance of other bonds, their security, and the remedies of the
10 holders apply to refunding bonds.

11 (d) The comptroller shall register the refunding bonds on
12 surrender and cancellation of the bonds to be refunded.

13 (e) Instead of issuing bonds to be registered on the
14 surrender and cancellation of the bonds to be refunded, the
15 authority, in the resolution authorizing the issuance of the
16 refunding bonds, may provide for the sale of the refunding bonds and
17 the deposit of the proceeds in a bank at which the bonds to be
18 refunded are payable. In that case, the refunding bonds may be
19 issued in an amount sufficient to pay the principal of and interest
20 and any required redemption premium on the bonds to be refunded to
21 any redemption date or to their maturity date, and the comptroller
22 shall register the refunding bonds without the surrender and
23 cancellation of the bonds to be refunded.

24 (f) An election is not required to authorize the issuance of
25 refunding bonds.

26 (g) The authority may also issue refunding bonds under any
27 other applicable law. (Acts 66th Leg., R.S., Ch. 436, Sec. 14.)

1 Sec. 11006.263. LIMITATION ON RIGHTS OF BONDHOLDERS. The
2 resolution authorizing the bonds or the trust indenture securing
3 the bonds may limit or qualify the rights of the holders of less
4 than all of the outstanding bonds payable from the same source to
5 institute or prosecute litigation affecting the authority's
6 property or income. (Acts 66th Leg., R.S., Ch. 436, Sec. 13(g)
7 (part).)

8 Sec. 11006.264. BONDS EXEMPT FROM TAXATION. An authority
9 bond, the transfer of the bond, and the income from the bond,
10 including profits made on the sale of the bond, are exempt from
11 taxation in this state. (Acts 66th Leg., R.S., Ch. 436, Sec. 22
12 (part).)

13 Sec. 11006.265. DETACHMENT OF AUTHORITY TERRITORY AFTER
14 ISSUANCE OF BONDS. Territory may not be detached from the authority
15 after the issuance of bonds payable from revenue or taxes, or both
16 revenue and taxes. (Acts 66th Leg., R.S., Ch. 436, Secs. 16 (part),
17 17(a) (part).)

18 CHAPTER 11007. WEST JEFFERSON COUNTY MUNICIPAL WATER DISTRICT

19 SUBCHAPTER A. GENERAL PROVISIONS

20 Sec. 11007.001. DEFINITIONS

21 Sec. 11007.002. NATURE OF DISTRICT

22 Sec. 11007.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

23 Sec. 11007.004. LIBERAL CONSTRUCTION OF CHAPTER

24 Sec. 11007.005. DISTRICT TERRITORY

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 11007.051. COMPOSITION OF BOARD; TERMS

27 Sec. 11007.052. QUALIFICATIONS FOR OFFICE

- 1 Sec. 11007.053. BOARD RESOLUTIONS; VOTING REQUIREMENTS
- 2 Sec. 11007.054. OFFICERS AND ASSISTANTS
- 3 Sec. 11007.055. OFFICER DUTIES
- 4 Sec. 11007.056. MEETINGS
- 5 SUBCHAPTER C. POWERS AND DUTIES
- 6 Sec. 11007.101. DISTRICT POWERS
- 7 Sec. 11007.102. GENERAL POWERS REGARDING WATER
- 8 Sec. 11007.103. GENERAL POWERS REGARDING WASTE
- 9 Sec. 11007.104. GENERAL POWERS REGARDING GARBAGE
- 10 COLLECTION AND DISPOSAL
- 11 Sec. 11007.105. GENERAL CONTRACT POWERS
- 12 Sec. 11007.106. AUTHORITY OF PUBLIC AGENCIES AND
- 13 POLITICAL SUBDIVISIONS TO CONTRACT
- 14 WITH DISTRICT
- 15 Sec. 11007.107. CONVEYANCE OF PROPERTY TO DISTRICT
- 16 Sec. 11007.108. ACQUISITION OF EXISTING FACILITIES
- 17 Sec. 11007.109. EMINENT DOMAIN
- 18 Sec. 11007.110. COST OF RELOCATING OR ALTERING
- 19 PROPERTY; RIGHTS-OF-WAY AND
- 20 EASEMENTS
- 21 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
- 22 Sec. 11007.151. IMPOSITION OF MAINTENANCE TAX;
- 23 PROHIBITION ON OTHER TAXES OR
- 24 ASSESSMENTS
- 25 Sec. 11007.152. ELECTION TO IMPOSE TAX
- 26 Sec. 11007.153. DEPOSITORY
- 27 Sec. 11007.154. INVESTMENT OF DISTRICT MONEY

1 Sec. 11007.155. DISTRICT FACILITIES EXEMPT FROM
2 TAXATION AND ASSESSMENT
3 SUBCHAPTER E. BONDS
4 Sec. 11007.201. AUTHORITY TO ISSUE BONDS
5 Sec. 11007.202. FORM OF BONDS
6 Sec. 11007.203. MATURITY
7 Sec. 11007.204. BONDS SECURED BY REVENUE; ADDITIONAL
8 BONDS
9 Sec. 11007.205. ADDITIONAL SECURITY
10 Sec. 11007.206. TRUST INDENTURE
11 Sec. 11007.207. CHARGES FOR DISTRICT SERVICES
12 Sec. 11007.208. STATE PLEDGE REGARDING RIGHTS AND
13 REMEDIES OF BONDHOLDERS
14 Sec. 11007.209. USE OF BOND PROCEEDS
15 Sec. 11007.210. APPOINTMENT OF RECEIVER
16 Sec. 11007.211. REFUNDING BONDS
17 Sec. 11007.212. OTHER REMEDIES AND COVENANTS
18 Sec. 11007.213. LIMITATION ON RIGHTS OF BONDHOLDERS
19 Sec. 11007.214. BONDS EXEMPT FROM TAXATION
20 CHAPTER 11007. WEST JEFFERSON COUNTY MUNICIPAL WATER DISTRICT
21 SUBCHAPTER A. GENERAL PROVISIONS
22 Sec. 11007.001. DEFINITIONS. In this chapter:
23 (1) "Board" means the board of directors of the
24 district.
25 (2) "Bond" means a bond or note.
26 (3) "Director" means a member of the board.
27 (4) "District" means the West Jefferson County

1 Municipal Water District. (Acts 65th Leg., R.S., Ch. 337, Secs. 1
2 (part), 4(a) (part), 15(a) (part); New.)

3 Sec. 11007.002. NATURE OF DISTRICT. The district is a
4 conservation and reclamation district in Jefferson County created
5 under Section 59, Article XVI, Texas Constitution. (Acts 65th
6 Leg., R.S., Ch. 337, Sec. 1 (part).)

7 Sec. 11007.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

8 (a) The district is created to serve a public use and benefit.

9 (b) All land and other property in the district will benefit
10 from the works and projects to be accomplished by the district under
11 the powers conferred by Section 59, Article XVI, Texas
12 Constitution.

13 (c) The accomplishment of the purposes stated in this
14 chapter will benefit the people of this state and improve their
15 properties and industries. The district, in carrying out the
16 purposes of this chapter, will be performing an essential public
17 function under the constitution of this state. (Acts 65th Leg.,
18 R.S., Ch. 337, Secs. 3, 22 (part).)

19 Sec. 11007.004. LIBERAL CONSTRUCTION OF CHAPTER. This
20 chapter shall be liberally construed to effect the purposes,
21 powers, rights, and functions stated in this chapter. (Acts 65th
22 Leg., R.S., Ch. 337, Sec. 23 (part).)

23 Sec. 11007.005. DISTRICT TERRITORY. (a) The district is
24 composed of the territory described by Section 1, Chapter 337, Acts
25 of the 65th Legislature, Regular Session, 1977, as that territory
26 may have been modified under:

27 (1) Subsection (c) or its predecessor statute, Section

1 2, Chapter 337, Acts of the 65th Legislature, Regular Session,
2 1977;

3 (2) Subchapter H, Chapter 54, Water Code;

4 (3) Subchapter J, Chapter 49, Water Code; or

5 (4) other law.

6 (b) The boundaries of the district form a closure. A
7 mistake in copying the field notes in the legislative process or
8 another mistake in the field notes does not affect:

9 (1) the district's organization, existence, or
10 validity;

11 (2) the district's right to issue bonds or to pay the
12 principal of and interest on the bonds;

13 (3) the district's right to impose a tax; or

14 (4) the legality or operation of the district or the
15 board.

16 (c) The board may redefine the boundaries of the district to
17 correct any mistake in the field notes appearing in Section 1,
18 Chapter 337, Acts of the 65th Legislature, Regular Session, 1977.
19 (Acts 65th Leg., R.S., Ch. 337, Sec. 2; New.)

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 11007.051. COMPOSITION OF BOARD; TERMS. (a) The
22 district is governed by a board of seven elected directors, each of
23 whom occupies a numbered place on the board.

24 (b) Directors serve staggered terms.

25 (c) Director elections must be held in the manner provided
26 in the Water Code for municipal utility districts. (Acts 65th Leg.,
27 R.S., Ch. 337, Sec. 4(a) (part).)

1 Sec. 11007.052. QUALIFICATIONS FOR OFFICE. To be eligible
2 to be elected or to serve as a director, a person must be a resident,
3 qualified voter of the district. (Acts 65th Leg., R.S., Ch. 337,
4 Sec. 4(b).)

5 Sec. 11007.053. BOARD RESOLUTIONS; VOTING REQUIREMENTS.

6 (a) The district shall act through orders or resolutions adopted by
7 the board.

8 (b) All directors are entitled to vote.

9 (c) The affirmative vote of a majority of the directors in
10 attendance, but not fewer than four directors, is necessary to
11 adopt an order or resolution. (Acts 65th Leg., R.S., Ch. 337, Sec.
12 4(g).)

13 Sec. 11007.054. OFFICERS AND ASSISTANTS. (a) The board
14 shall elect a president, vice president, secretary, and treasurer.

15 (b) The board shall elect the president and vice president
16 from among the directors.

17 (c) The president serves for a one-year term.

18 (d) The offices of secretary and treasurer:

19 (1) may be held by one person; and

20 (2) are not required to be held by a director.

21 (e) The board may appoint one or more assistant officers who
22 are not required to be directors. (Acts 65th Leg., R.S., Ch. 337,
23 Sec. 4(f) (part).)

24 Sec. 11007.055. OFFICER DUTIES. (a) The board president
25 shall preside at board meetings and perform other duties prescribed
26 by the board.

27 (b) The board vice president shall perform the duties of the

1 president when the president is not present or is otherwise
2 incapacitated.

3 (c) The board secretary is the official custodian of the
4 minutes, books, records, and seal of the board and shall perform
5 other duties and functions prescribed by the board.

6 (d) The board treasurer shall perform duties and functions
7 prescribed by the board.

8 (e) An assistant officer shall perform duties and functions
9 prescribed by the board. (Acts 65th Leg., R.S., Ch. 337, Sec. 4(f)
10 (part).)

11 Sec. 11007.056. MEETINGS. The board shall have regular
12 meetings at times specified by board resolution or bylaws and shall
13 have special meetings when called by the board president or by any
14 three directors. (Acts 65th Leg., R.S., Ch. 337, Sec. 4(h).)

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 11007.101. DISTRICT POWERS. The district may exercise
17 any power necessary or appropriate to achieve the purposes of this
18 chapter, including the power to:

19 (1) adopt an official seal;

20 (2) adopt and enforce:

21 (A) bylaws and rules for the conduct of its
22 affairs; and

23 (B) rules that a municipal utility district may
24 adopt and enforce under Section 54.205 et seq., Water Code;

25 (3) acquire, hold, use, invest, reinvest, and dispose
26 of its receipts and money from any source;

27 (4) select a depository or depositories;

1 (5) acquire, own, rent, lease, accept, hold, or
2 dispose of property or an interest in property, including a right or
3 easement, by purchase, exchange, gift, assignment, condemnation,
4 sale, lease, or other means, in performing a duty or exercising a
5 power under this chapter;

6 (6) hold, manage, operate, or improve property;

7 (7) lease or rent any land, buildings, structures, or
8 facilities from or to any person;

9 (8) sell, assign, lease, encumber, mortgage, or
10 otherwise dispose of property or an interest in property, and
11 release or relinquish a right, title, claim, lien, interest,
12 easement, or demand, regardless of the manner in which acquired,
13 and conduct a transaction authorized by this subdivision by public
14 or private sale, notwithstanding any other law;

15 (9) in the manner and to the extent permitted by this
16 chapter:

17 (A) borrow money for a corporate purpose;

18 (B) enter into an agreement in connection with
19 the borrowing;

20 (C) issue bonds for money borrowed;

21 (D) provide for and secure the payment of the
22 bonds; and

23 (E) provide for the rights of the holders of the
24 bonds;

25 (10) request and accept any appropriation, grant,
26 allocation, subsidy, guaranty, aid, service, material, or gift from
27 any public or private source, including the federal government, the

1 state, a public agency, or a political subdivision;

2 (11) operate and maintain an office; and

3 (12) appoint and determine the duties, tenure,
4 qualifications, and compensation of officers, employees, agents,
5 and professional advisors and counselors considered necessary or
6 advisable by the board, including financial consultants,
7 accountants, attorneys, architects, engineers, appraisers, and
8 financing experts. (Acts 65th Leg., R.S., Ch. 337, Sec. 10 (part).)

9 Sec. 11007.102. GENERAL POWERS REGARDING WATER. The
10 district has all rights, powers, and privileges necessary or useful
11 to enable it to acquire, provide, supply, deliver, and sell potable
12 water inside or outside its boundaries for any beneficial purpose.
13 (Acts 65th Leg., R.S., Ch. 337, Sec. 6.)

14 Sec. 11007.103. GENERAL POWERS REGARDING WASTE. The
15 district has all rights, powers, and privileges necessary or useful
16 to enable it to collect, transport, dispose of, and control
17 domestic, industrial, or communal wastes, whether in fluid, solid,
18 or composite state. (Acts 65th Leg., R.S., Ch. 337, Sec. 7.)

19 Sec. 11007.104. GENERAL POWERS REGARDING GARBAGE
20 COLLECTION AND DISPOSAL. The district has all rights, powers, and
21 privileges necessary or useful to enable it to provide for garbage
22 collection and disposal in all or part of the district on terms and
23 at rates and charges the board considers just and reasonable to:

24 (1) preserve the water of rivers and streams in the
25 district and this state; and

26 (2) aid in the preservation and conservation of the
27 natural resources of the district and this state. (Acts 65th Leg.,

1 R.S., Ch. 337, Sec. 8.)

2 Sec. 11007.105. GENERAL CONTRACT POWERS. (a) The district
3 may enter into and enforce a contract or agreement necessary or
4 convenient to the exercise of the powers, rights, privileges, and
5 functions conferred on the district by this chapter or general law,
6 including a contract or agreement with any person as the board
7 considers necessary or proper for, or in connection with, any power
8 or function of the district for:

9 (1) the purchase or sale of water;

10 (2) the collection, transportation, processing, or
11 disposal of waste; or

12 (3) the construction, acquisition, ownership,
13 financing, operation, maintenance, sale, leasing to or from, or
14 other use or disposition of any facilities authorized to be
15 developed, acquired, or constructed under this chapter or general
16 law.

17 (b) The authority to enter into or enforce the contract or
18 agreement includes the authority to enter into or enforce a
19 contract or agreement regarding:

20 (1) any improvements, structures, facilities,
21 equipment, and other property of any kind in connection with the
22 subject of the contract or agreement;

23 (2) any land, leaseholds, and easements; and

24 (3) any interests in the property.

25 (c) The contract or agreement:

26 (1) may not have a term of more than 40 years; and

27 (2) may contain provisions the board determines to be

1 in the best interest of the district.

2 (d) The district may pledge all or part of its revenue to the
3 payment of its obligations under the contract or agreement to the
4 same extent and on the same conditions as it may pledge revenue to
5 secure district bonds. (Acts 65th Leg., R.S., Ch. 337, Sec. 9(a).)

6 Sec. 11007.106. AUTHORITY OF PUBLIC AGENCIES AND POLITICAL
7 SUBDIVISIONS TO CONTRACT WITH DISTRICT. A public agency or
8 political subdivision of this state, including a city, town, or
9 village in the district, may enter into a contract or agreement with
10 the district, on terms agreed to by the parties, for:

11 (1) the purchase or sale of water;

12 (2) waste collection, transportation, processing, or
13 disposal; or

14 (3) any purpose relating to the district's powers or
15 functions. (Acts 65th Leg., R.S., Ch. 337, Sec. 9(b) (part).)

16 Sec. 11007.107. CONVEYANCE OF PROPERTY TO DISTRICT. A
17 public agency or political subdivision of this state, including a
18 city, town, or village in the district, may lease, sell, or
19 otherwise convey to the district, for any consideration that the
20 parties agree is adequate, any of its land, improvements, property,
21 plants, lines, or other facilities related to:

22 (1) the supply of water; or

23 (2) waste collection, transportation, processing, or
24 disposal. (Acts 65th Leg., R.S., Ch. 337, Sec. 9(b) (part).)

25 Sec. 11007.108. ACQUISITION OF EXISTING FACILITIES. If the
26 district acquires existing works, improvements, facilities,
27 plants, equipment, or appliances that are completed, partially

1 created, or under construction, the district may:

2 (1) assume the contracts and obligations of the
3 previous owner; and

4 (2) perform the obligations of the previous owner in
5 the same manner and to the same extent that any other purchaser or
6 assignee would be bound. (Acts 65th Leg., R.S., Ch. 337, Sec.
7 9(c).)

8 Sec. 11007.109. EMINENT DOMAIN. (a) To carry out a power
9 conferred by this chapter, the district may exercise the power of
10 eminent domain inside or outside the district to acquire the fee
11 simple title to land, or any other interest in land as determined by
12 the board, and other property and easements, necessary for water
13 wells, water or sewer treatment plants, water or sewer lines,
14 pumping stations and force mains, storage tanks, or other similar
15 facilities.

16 (b) The district must exercise the power of eminent domain
17 in the manner provided by Chapter 21, Property Code. (Acts 65th
18 Leg., R.S., Ch. 337, Sec. 11(a) (part).)

19 Sec. 11007.110. COST OF RELOCATING OR ALTERING PROPERTY;
20 RIGHTS-OF-WAY AND EASEMENTS. (a) If the district's exercise of its
21 eminent domain, police, or other power requires relocating,
22 raising, lowering, rerouting, or changing the grade of or altering
23 the construction of any highway, railroad, electric, transmission,
24 telegraph, or telephone line, conduit, pole, property, or facility
25 or pipeline, the action shall be accomplished at the sole expense of
26 the district. The term "sole expense" means the actual cost of the
27 lowering, rerouting, or change in grade or alteration of

1 construction to provide a comparable replacement without enhancing
2 the facility, after deducting from the cost the net salvage value
3 derived from the old facility.

4 (b) The district has all necessary or useful rights-of-way
5 and easements along, over, under, and across all public, state,
6 municipal, and county roads, highways, and places for any of its
7 purposes. The district shall restore a used facility to its
8 previous condition as nearly as possible at the sole expense of the
9 district. (Acts 65th Leg., R.S., Ch. 337, Secs. 11(c), (d).)

10 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

11 Sec. 11007.151. IMPOSITION OF MAINTENANCE TAX; PROHIBITION
12 ON OTHER TAXES OR ASSESSMENTS. (a) The district may impose a tax,
13 not to exceed 10 cents on each \$100 valuation of taxable property in
14 the district, for:

15 (1) maintenance purposes, including money for
16 studying, planning, maintaining, repairing, and operating all
17 necessary plants, works, facilities, improvements, appliances, and
18 equipment of the district;

19 (2) paying costs of proper services, engineering, and
20 legal fees; and

21 (3) organization and administrative expenses.

22 (b) The district may not impose a maintenance tax unless the
23 tax is approved by a majority of the voters voting at an election
24 held for that purpose.

25 (c) Except for the maintenance tax authorized by this
26 section, the district may not under this chapter or any other law
27 levy or collect a tax or assessment or create a debt payable from a

1 tax or assessment. (Acts 65th Leg., R.S., Ch. 337, Secs. 12(a), (b)
2 (part), (c).)

3 Sec. 11007.152. ELECTION TO IMPOSE TAX. (a) The board may
4 order an election to impose a maintenance tax. The election order
5 must specify:

6 (1) the time and place of the election;

7 (2) the maximum amount of tax to be authorized;

8 (3) the form of the ballot; and

9 (4) other matters the board considers necessary or
10 advisable.

11 (b) Notice of the election must be given by publishing once
12 a week for two consecutive weeks a substantial copy of the election
13 order in a newspaper of general circulation in the district. The
14 first publication must occur at least 14 days before the date of the
15 election. (Acts 65th Leg., R.S., Ch. 337, Sec. 12(b) (part).)

16 Sec. 11007.153. DEPOSITORY. (a) The board shall designate
17 one or more banks inside or outside the district to serve as the
18 depository for the district's money.

19 (b) All district money shall be deposited in the depository
20 designated by the board, except that:

21 (1) bond proceeds and money pledged to pay bonds, to
22 the extent provided in a resolution or trust indenture authorizing
23 or securing district bonds, may be deposited with another bank or
24 trustee named in the bond resolution or trust indenture; and

25 (2) money shall be remitted to each paying agent for
26 the payment of principal of and interest on the bonds.

27 (c) To the extent that money in a depository bank or the

1 Sec. 11007.203. MATURITY. District bonds must mature not
2 later than 40 years after the date of their issuance. (Acts 65th
3 Leg., R.S., Ch. 337, Sec. 15(b) (part).)

4 Sec. 11007.204. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.
5 (a) District bonds may be secured by a pledge of all or part of the
6 district's revenue, or by all or part of the payments or rentals
7 under one or more contracts or leases specified by board resolution
8 or a trust indenture securing the bonds.

9 (b) A resolution authorizing the issuance of bonds secured
10 by a pledge of revenue of all or part of the district's facilities
11 may provide that the district shall first pay the expenses of
12 operating and maintaining all or part of the facilities as the board
13 considers appropriate before paying the principal of and interest
14 on the bonds.

15 (c) In a resolution authorizing the issuance of bonds
16 secured by revenue, contract payments, or lease rentals, the
17 district may reserve the right, under conditions specified by the
18 resolution, to issue additional bonds that will be on a parity with,
19 superior to, or subordinate to the bonds then being issued. (Acts
20 65th Leg., R.S., Ch. 337, Sec. 15(d).)

21 Sec. 11007.205. ADDITIONAL SECURITY. (a) District bonds
22 may be additionally secured, at the discretion of the board, by a
23 deed of trust or mortgage lien on all or part of the district's
24 physical property, facilities, easements, water rights and
25 appropriation permits, leases, contracts, and all rights
26 appurtenant to the property, vesting in the trustee power to:

27 (1) sell the property for the payment of the debt;

1 (2) operate the property; and

2 (3) take other action to further secure the bonds.

3 (b) A purchaser under a sale under the deed of trust lien, if
4 one is given:

5 (1) is the absolute owner of the property, facilities,
6 and rights purchased; and

7 (2) is entitled to maintain and operate the property,
8 facilities, and rights. (Acts 65th Leg., R.S., Ch. 337, Sec. 16
9 (part).)

10 Sec. 11007.206. TRUST INDENTURE. District bonds authorized
11 by this chapter, including refunding bonds, may be additionally
12 secured by a trust indenture. The trustee may be a bank with trust
13 powers that is located inside or outside the state. (Acts 65th
14 Leg., R.S., Ch. 337, Sec. 16 (part).)

15 Sec. 11007.207. CHARGES FOR DISTRICT SERVICES. If district
16 bonds payable wholly from revenue are issued, the board shall set
17 and from time to time revise the rates, fees, and charges assessed
18 for water sold and waste collection and treatment services provided
19 by the district. The rates, fees, and charges must be sufficient
20 to:

21 (1) pay the expense of operating and maintaining the
22 district facilities that generate the revenue from which the bonds
23 will be paid;

24 (2) pay the principal of and interest on the bonds when
25 due; and

26 (3) maintain the reserve fund and other funds as
27 provided in the resolution authorizing the bonds. (Acts 65th Leg.,

1 R.S., Ch. 337, Sec. 15(e) (part).)

2 Sec. 11007.208. STATE PLEDGE REGARDING RIGHTS AND REMEDIES
3 OF BONDHOLDERS. Without depriving this state of its power to
4 regulate and control the rates, fees, and charges assessed for
5 water sold and waste collection and treatment services provided by
6 the district, the state pledges to and agrees with the holders of
7 district bonds that the state will not exercise its power to
8 regulate and control the rates, fees, and charges in any way that
9 would impair the rights or remedies of the holders of the bonds.
10 (Acts 65th Leg., R.S., Ch. 337, Sec. 15(e) (part).)

11 Sec. 11007.209. USE OF BOND PROCEEDS. (a) The district may
12 set aside an amount of proceeds from the sale of district bonds for:

13 (1) the payment of interest expected to accrue during
14 construction not to exceed three years;

15 (2) a debt service reserve fund; and

16 (3) other funds as may be provided in the resolution
17 authorizing the bonds or in the trust indenture.

18 (b) The district may use proceeds from the sale of the bonds
19 to pay any expense necessarily incurred in accomplishing the
20 purpose of the district, including any expense of issuing and
21 selling the bonds. (Acts 65th Leg., R.S., Ch. 337, Sec. 15(f).)

22 Sec. 11007.210. APPOINTMENT OF RECEIVER. (a) On default or
23 threatened default in the payment of the principal of or interest on
24 district bonds that are payable wholly or partly from revenue, a
25 court may, on petition of the holders of at least 25 percent of the
26 district's outstanding revenue bonds, appoint a receiver for the
27 district.

1 (b) The receiver may collect and receive all district
2 revenue, other than taxes, employ and discharge district agents and
3 employees, and take charge of money on hand, other than money
4 received from taxes, unless commingled, and/or hindrance by the
5 board.

6 (c) The receiver may be authorized to sell or contract for
7 the sale of water or the collection or treatment of waste or to
8 renew contracts, with the approval of the court that appointed the
9 receiver.

10 (d) The court may vest the receiver with any other power or
11 duty the court finds necessary to protect the bondholders. (Acts
12 65th Leg., R.S., Ch. 337, Sec. 15(g) (part).)

13 Sec. 11007.211. REFUNDING BONDS. (a) The district may
14 issue refunding bonds to refund outstanding district bonds and
15 interest on those bonds.

16 (b) Refunding bonds may:

17 (1) be issued to refund bonds of more than one series;

18 (2) combine the pledges for the outstanding bonds for
19 the security of the refunding bonds; or

20 (3) be secured by a pledge of other or additional
21 revenue or mortgage liens.

22 (c) The provisions of this subchapter regarding the
23 issuance of other bonds, their security, and the remedies of the
24 holders apply to refunding bonds.

25 (d) The comptroller shall register the refunding bonds on
26 the surrender and cancellation of the bonds to be refunded.

27 (e) Instead of issuing bonds to be registered on the

1 surrender and cancellation of the bonds to be refunded, the
2 district, in the resolution authorizing the issuance of the
3 refunding bonds, may provide for the sale of the refunding bonds and
4 the deposit of the proceeds in a bank at which the bonds to be
5 refunded are payable. In that case, the refunding bonds may be
6 issued in an amount sufficient to pay the principal of and interest
7 and any required redemption premium on the bonds to be refunded to
8 or through any redemption date or through or on their maturity date,
9 and the comptroller shall register the refunding bonds without the
10 surrender and cancellation of the bonds to be refunded.

11 (f) An election is not required to authorize the issuance of
12 refunding bonds.

13 (g) The district may also issue refunding bonds under any
14 other applicable law. (Acts 65th Leg., R.S., Ch. 337, Sec. 17.)

15 Sec. 11007.212. OTHER REMEDIES AND COVENANTS. The
16 resolution authorizing the issuance of district bonds, including
17 refunding bonds, or the trust indenture securing the bonds, may
18 provide other remedies and covenants the board considers necessary
19 to issue the bonds on the most favorable terms. (Acts 65th Leg.,
20 R.S., Ch. 337, Sec. 15(h).)

21 Sec. 11007.213. LIMITATION ON RIGHTS OF BONDHOLDERS. The
22 resolution authorizing the bonds or the trust indenture securing
23 the bonds may limit or qualify the rights of the holders of less
24 than all of the outstanding bonds payable from the same source to
25 institute or prosecute litigation affecting the district's
26 property or income. (Acts 65th Leg., R.S., Ch. 337, Sec. 15(g)
27 (part).)

1 Sec. 11007.214. BONDS EXEMPT FROM TAXATION. A district
2 bond, the transfer of the bond, and the income from the bond,
3 including profits made on the sale of the bond, are exempt from
4 taxation in this state. (Acts 65th Leg., R.S., Ch. 337, Sec. 22
5 (part).)

6 ARTICLE 2. CONFORMING AMENDMENTS

7 SECTION 2.01. Section 1, Chapter 145, Acts of the 41st
8 Legislature, Regular Session, 1929, is amended to read as follows:

9 Sec. 1. Cameron County Drainage District Number One of
10 Cameron County, Texas, including within its limits the territory
11 described and defined in that certain order of the Commissioners'
12 Court of Cameron County, Texas, passed and adopted by said Court on
13 the 22nd day of January, A. D. 1920, recorded in Book "J," pages 536
14 to 540, Minutes of the Commissioners' Court of said County, same
15 including within its limits the territory described and defined in
16 said order, the metes and bounds of which said territory is as
17 follows, to-wit:

18 Being all of the Territory situated and lying in Cameron
19 County Texas and bounded on the North by the Cautes Resaca, on the
20 West by the East line of Share No. 1, a subdivision of the Espiritu
21 Santo Grant.

22 On the South by the Resaca de la Guerra, and the Resaca Rancho
23 Viejo. On the East between Resaca Rancho Viejo and Resaca de la
24 Guerra, by the East line of Partition Share 29 and between Resaca
25 Rancho Viejo and Cuates Resaca by the East line of Partition Share
26 No. 32 and being more fully described by metes and Bounds as
27 follows:

1 Beginning at a point on the East line of Partition Share No. 1
2 a subdivision of the Espiritu Santo Grant, and at the N. W. corner
3 of a 440 acre survey being Partition Share No. 4, a subdivision of
4 said Espiritu Santo Grant, and running Thence N. 8°00' E. with the
5 East line of Partition Share No. 1, a distance of 50231 feet to a
6 stake on the North Bank of the Resaca de los Cuates for N. W. Corner;
7 Thence down said Cuates Resaca and the North Bank thereof to a point
8 at the intersection of said North Bank with the West line of
9 Partition Share 32, a subdivision of the Espiritu Santo Grant.
10 Thence East to the East line of said Share No. 32, and on West line
11 of Laguna Vista tract; thence in a southerly direction with the West
12 line of Laguna Vista tract, Santa Isabel Tract, and San Martin
13 tract, a distance of 66800 feet to a point which is 9484 feet from a
14 stone and concrete monument on the estero near the river and being,
15 a corner of the San Martin Grant as called for in its patent; Thence
16 West to Resaca Rancho Viejo; Thence up Resaca Rancho Viejo with its
17 meanders to the East line of Partition Share No. 29, a subdivision
18 of Espiritu Santo Grant; Thence in a southerly direction with the
19 East line of Share No. 29, a distance of 13212 feet to the North bank
20 of Resaca de la Guerra; Thence up the North bank of Resaca de la
21 Guerra with its various meanders, to the West line of Partition
22 Share No. 17, a subdivision of the Espiritu Santo Grant; Thence in a
23 northerly direction with said West line of Share No. 17 to the place
24 of beginning, containing 81136 acres[, ~~is hereby created and~~
25 ~~established as a Conservation District in said county under~~
26 ~~authority of Section 59 of Article 16 of the Constitution of the~~
27 ~~State of Texas, for the purpose of the reclamation and drainage of~~

1 ~~its seeped, salty, waterlogged and over flowed lands, and other~~
2 ~~lands needing drainage, and all other purposes as contemplated by~~
3 ~~section 59 of Article 16 of the Constitution of this State, and said~~
4 ~~district shall be a governmental agency and body politic with all~~
5 ~~powers as are granted to such conservation districts in the~~
6 ~~Constitution and in the General Laws of the State of Texas].~~

7 SECTION 2.02. Section 1, Chapter 533, Acts of the 57th
8 Legislature, Regular Session, 1961, is amended to read as follows:

9 Sec. 1. The [~~Under and pursuant to the provisions of Section~~
10 ~~59 of Article XVI, Constitution of Texas, a conservation and~~
11 ~~reclamation district is hereby created and incorporated in Liberty~~
12 ~~County, Texas, to be known as "Hull Fresh Water Supply District,"~~
13 ~~hereafter referred to as the "District," and the]~~ boundaries of the
14 Hull Fresh Water Supply District [~~said District~~] shall be as
15 follows:

16 BEGINNING at the NE corner of the Chas. Underton Survey,
17 A-391, Liberty County, Texas, which point of beginning is also the
18 SE corner of the C. F. Stevens Survey, A-920, and is in the West line
19 of the A. Melonson Survey No. 194, A-701;

20 THENCE following the East line of said Stevens Survey in a
21 Northerly direction to the NE corner of said Stevens Survey, A-920,
22 the same being the NW corner of the aforesaid A. Melonson Survey No.
23 194, A-701;

24 THENCE in an Easterly direction following the North line of
25 said A. Melonson Survey No. 194 to the SE corner of the Humble
26 Pipeline Co. 40.25 acre tract of land;

27 THENCE in a Northerly direction following the East line of

1 said Humble Pipeline Co. 40.25 acre tract, and the Northerly
2 prolongation of said East line to a point in the North right-of-way
3 line of the Missouri Pacific RR;

4 THENCE in a Westerly direction following said North
5 right-of-way line of said RR to the SE corner of the Magnolia
6 Pipeline Co. 39.08 acre tract;

7 THENCE in a Northerly direction following the East line of
8 said 39.08 acre tract to the NE corner of same;

9 THENCE in a Westerly direction following the North line of
10 said 39.08 acre tract and the Westerly prolongation of same to the
11 SE corner of the Leo Fregia 4 acre tract of land;

12 THENCE following the East line of said Fregia 4 acre tract in
13 a Northerly direction to the NE corner of said tract;

14 THENCE following the North line of said Leo Fregia 4 acre
15 tract in a Westerly direction to the NW corner of same, said corner
16 being the most Easterly SE corner of the J. L. Deckert tract of land
17 situated in the H. T. C. Survey No. 193, A-239;

18 THENCE following the East line of said J. L. Deckert tract in
19 a Northerly direction to the NE corner of same, said corner being in
20 the North line of said H. T. C. Survey No. 193;

21 THENCE following the North line of said H. T. C. Survey No.
22 193 in an Easterly direction to a point in line with the Southerly
23 prolongation of the East line of the H. Taylor 4.5 acre tract of
24 land in the Francis Smith Survey, A-346;

25 THENCE in a Northerly direction along said Southerly
26 prolongation of said East line of said H. Taylor 4.5 acre tract and
27 continuing along said East line of said 4.5 acre tract and the

1 Northerly prolongation of said East line to the center line of
2 Batiste Creek;

3 THENCE in a generally Northwesterly direction following the
4 meanders of the center of Batiste Creek upstream to a point in the
5 West line of the J. W. Mecom 48 acre tract in the Francis Smith
6 Survey, A-346;

7 THENCE following the West line of said J. W. Mecom 48 acre
8 tract in a Southerly direction to the SW corner of same, and the SE
9 corner of another tract of land belonging to said J. W. Mecom and
10 containing 73.33 acres;

11 THENCE in a Westerly direction following the South line of
12 said J. W. Mecom 73.33 acre tract and the Westerly prolongation of
13 same to the NW corner of Garden Subdivision out of said Francis
14 Smith Survey, A-346, according to a map or plat of said Subdivision,
15 of record in Vol. 113, page 177, of the Deed Records of Liberty
16 County, Texas;

17 THENCE in a Southerly direction following the West line of
18 said Garden Subdivision and the Southerly prolongation of said West
19 line to a point 280 ft. South of the intersection of said Southerly
20 prolongation of said West line with the South right-of-way line of
21 F.M. Hwy. 834 based upon a right-of-way width of 80 ft.;

22 THENCE in an Easterly direction at right angles to said
23 Southerly prolongation of the West line of said Garden Subdivision
24 to a point in the West line of the J. S. Wheless and Thos. J. Baten
25 15 acre tract;

26 THENCE in a Southerly direction following the West line of
27 said Wheless and Baten 15 acre tract to the SW corner of said tract,

1 the same being a point in the North line of the Jewell Vaughn 14.33
2 acre tract;

3 THENCE in a Westerly direction following the North line of
4 said Vaughn 14.33 acre tract to the NW corner of said tract;

5 THENCE in a Southerly direction following the West line of
6 said Jewell Vaughn 14.33 acre tract and the Southerly prolongation
7 of said West line to the SW corner of the T. D. Richardson, et al., 8
8 acre tract, which SW corner of said tract is in the North line of the
9 C. F. Stevens Survey 194, A-767;

10 THENCE in a Westerly direction following the North line of
11 said Stevens Survey to the NW corner of said Survey, the same being
12 a point in the East line of the William Smith Survey, A-342;

13 THENCE following the East line of said William Smith Survey,
14 A-342, in a Southerly direction a distance of 2,000 ft.;

15 THENCE in an Easterly direction at right angles to the East
16 line of said William Smith Survey, A-342, following a straight line
17 to the West line of the J. P. Richardson 75.88 acre tract;

18 THENCE following the West line of said J. P. Richardson 75.88
19 acre tract in a Southerly direction to the North line of the Chas.
20 Underton Survey, A-391;

21 THENCE following the North line of said Chas. Underton
22 Survey, A-391, in an Easterly direction to the NE corner of said
23 Underton Survey the POINT OF BEGINNING, containing 1,076 acres of
24 land, more or less.

25 SECTION 2.03. Section 1, Chapter 20, Acts of the 57th
26 Legislature, 3rd Called Session, 1962, is amended to read as
27 follows:

1 Sec. 1. [~~Authority Created. Pursuant to, and as expressly~~
2 ~~authorized by Section 59, Article XVI of the Constitution of the~~
3 ~~State of Texas, and in addition to all other districts into which~~
4 ~~the State has been divided heretofore, there is hereby created a~~
5 ~~conservation and reclamation district to be known as "Memorial~~
6 ~~Villages Water Authority" (hereinafter referred to as the~~
7 ~~Authority), which shall be recognized to be a governmental agency,~~
8 ~~a body politic and corporate, and a political subdivision of this~~
9 ~~State.] The area of the Memorial Villages Water Authority~~

10 [~~Authority~~] shall consist of the following:

11 All land which on the effective date of this Act is located
12 within the corporate limits of the City of Hedwig Village,
13 Texas, located in the Isaac Bunker A-121 and A. H. Osbourne
14 A-610 surveys, in Harris County, Texas; and all land which on
15 the effective date of this Act is located within the
16 corporate limits of the City of Piney Point Village, Texas
17 located in the Bunker and Osbourne surveys and in the John D.
18 Taylor survey A-72, except that certain area of 0.19 square
19 miles annexed by Ordinance No. 19 passed and approved by the
20 City Council of the City of Piney Point Village, Texas, on
21 October 13, 1955, and delineated in METES AND BOUNDS OF PINEY
22 POINT VILLAGE AND ANNEXED AREA recorded in Volume 3604, Page
23 708 of the Deed Records of Harris County, Texas, and in Volume
24 58, Page 41 of the Map Records of Harris County, Texas; and
25 all land which on the effective date of the Act is located
26 within the corporate limits of the City of Hunter's Creek
27 Village, Texas, north of Buffalo Bayou except that portion

1 thereof known as Creekside Manor subdivision in the said
2 Taylor, Osbourne and R. Vince A-77 surveys, all of such land
3 being situated in Harris County, Texas.

4 SECTION 2.04. Section 1, Chapter 38, Acts of the 57th
5 Legislature, 3rd Called Session, 1962, is amended to read as
6 follows:

7 Sec. 1. The ~~[Under and pursuant to the provisions of Section~~
8 ~~59 of Article XVI, Constitution of Texas, a conservation and~~
9 ~~reclamation district is hereby created and incorporated in Bee~~
10 ~~County, Texas, to be known as "Pettus Municipal Utility District,"~~
11 ~~hereinafter referred to as the "District," and the]~~ boundaries of
12 the Pettus Municipal Utility District ~~[said District]~~ shall be as
13 follows:

14 Beginning at the Southeast corner of the Town of Pettus, Bee
15 County, Texas, according to plat filed in Vol. K, Page 517, Deed
16 Records, Bee County, Texas, in the George A. Kerr Survey, Abstract
17 209;

18 Thence N. 18° 10' W. with the eastern boundary line of said
19 Town of Pettus a distance of 2,560 feet to the Northeast corner of
20 said Town of Pettus;

21 Thence S. 71° 50' W. along the northern boundary line of said
22 Town of Pettus a distance of 103.9 feet;

23 Thence N. 60° 26' W. a distance of 40.3 feet;

24 Thence N. 71° 50' E. a distance of 214 feet;

25 Thence Northeasterly along the northern right-of-way line of
26 F. M. Highway No. 623, rotating 24° 53' 53" about a radial center
27 with radius of 449.26 feet, an arc distance of 195.23 feet, to a

1 point on said northern right-of-way line of said Highway No. 623;

2 Thence N. 48° 14' E. along said Northern right-of-way line of
3 said Highway No. 623 a distance of 50.66 feet to a corner of that
4 certain tract of land conveyed by George A. Ray, Jr. to the Pettus
5 Independent School District by Deed recorded in Volume 218, Page
6 292, Bee County records;

7 Thence N. 05° 20' W. with the eastern boundary of said tract of
8 land conveyed by George A. Ray, Jr. to said School District a
9 distance of 298.08 feet for a corner;

10 Thence S. 84° 17' W. a distance of 1,114.1 feet to a point for
11 corner;

12 Thence N. 60° 26' W. a distance of 480.8 feet;

13 Thence S. 52° 40' W. a distance of 477.5 feet to the most
14 easterly eastern boundary line of the Danaho Refinery tract,
15 described in Deed of Trust Records, Volume 64, Page 424, Bee County
16 records;

17 Thence N. 18° 10' W. with said most easterly eastern boundary
18 line of the said Danaho Refinery tract a distance of 1,819.5 feet to
19 the Northeast corner of said Danaho Refinery tract;

20 Thence S. 71° 50' W. with the northern boundary line of said
21 Danaho Refinery tract, at 734 feet pass a 3/4 inch iron pipe set in
22 the eastern right-of-way line of the T & NO (S. P.) railroad
23 property, and continuing on the same course along the westerly
24 projection of said Northern boundary line of the said Danaho
25 Refinery tract a distance of approximately 2250 feet to a point in
26 the centerline of Medio Creek;

27 Thence down the centerline of said Medio Creek with its

1 meanders in a generally southerly direction to a point in said
2 centerline from whence the Northeast corner of the Denver C.
3 Roberts 32.08 acre tract (description recorded in Deed Volume 184,
4 Page 302) bears S. 58° 14' W. at approximately 580 feet;

5 Thence S. 58° 14' W., at approximately 580 feet pass a one inch
6 iron pipe set at said Northeast corner of said Roberts 32.08 acre
7 tract, a total distance of 2,369 feet, more or less, to the
8 Northwest corner of said Roberts 32.08 acre tract;

9 Thence S. 70° 14' W. with the northern boundary line of the
10 Fred Hoffer 11.25 acre tract, the northern boundary line of the
11 Mineral Heights Subdivision, and continuing on the same course a
12 total distance of approximately 4,480 feet to the western boundary
13 line of said George A. Kerr Survey, Abstract 209;

14 Thence S. 20° E. with said western boundary line of said Kerr
15 Survey a distance of approximately 943.5 feet to a point, said point
16 being S. 20° E. 150 feet from the intersection of said western
17 boundary line of said Kerr Survey and the southern right-of way line
18 of F. M. Highway No. 623;

19 Thence N. 70° 14' E. along a line parallel to and 150 feet at
20 right angles southerly from said southern right-of-way line of
21 F. M. Highway No. 623 a distance of approximately 6,880 feet, and
22 continuing in a generally easterly direction along the tangents and
23 curves of said line parallel to and 150 feet at right angles
24 southerly from such southern right-of-way line of said F. M.
25 Highway 623 to a point in the centerline of said Medio Creek;

26 Thence in a generally southerly and westerly direction down
27 the centerline of said Medio Creek with its meanders a distance of

1 approximately 1,310 feet to its intersection with a line projected
2 800 feet westerly at right angles from the northerly projection of
3 the western right-of-way line of U. S. Highway No. 181, and from
4 such intersection a point in the centerline of said T. & NO Railroad
5 bears N. 71° 50' E. at 970 feet;

6 Thence in a generally southerly direction along the tangents
7 and curves of a line parallel to and 800 feet westerly at right
8 angles from said northerly projection and said western right-of-way
9 line of said highway a distance of approximately 2,650 feet to a
10 point from whence the southeast corner of the George A. Ray, Jr.
11 75.64 acre tract bears S. 79° 20' E. at 843.8 feet and from whence a
12 point in said western right-of-way line of U. S. Highway No. 181
13 bears S. 86° 53' E. at 800 feet;

14 Thence S. 86° 53' E. a distance of 689 feet to the point of
15 intersection of the centerlines of two small creeks from whence a
16 1/4 inch iron pipe set at the southeast corner of said George A.
17 Ray, Jr. 75.64 acre tract bears S. 49° 55' E. at 184.5 feet;

18 Thence in a generally easterly direction up the centerline of
19 that one of the said two small creeks which runs approximately S.
20 86° 53' E., with its meanders, under U. S. Highway No. 181 and the T &
21 NO Railroad and continuing up said creek to a point in its
22 centerline from whence a point in the eastern right-of-way line of
23 said T & NO Railroad bears N. 86° 53' W. at 800 feet and from whence
24 said Southeast corner of said Ray 75.64 acre tract bears S. 86° 54'
25 W. at 1,028 feet;

26 Thence in a generally northeasterly direction along the
27 tangents and curves of a line parallel to and 800 feet easterly at

1 right angles from the eastern right-of-way line of said T & NO
2 Railroad a distance of approximately 3,000 feet to a point in the
3 centerline of a small creek;

4 Thence up the centerline of said small creek with its
5 meanders in a generally northeasterly direction a distance of
6 approximately 940 feet to a point in the southern boundary line of
7 the Town of Pettus from whence the Southeast corner of said Town of
8 Pettus bears N. 71° 50' E. at approximately 700 feet;

9 Thence N. 71° 50' E along said southern boundary line of the
10 Town of Pettus a distance of approximately 700 feet to the Southeast
11 corner of the Town of Pettus, the place of beginning, containing 600
12 acres more or less, in Bee County, Texas.

13 Beginning at the Southeast corner of the Town of Pettus, Bee
14 County, Texas, according to plat filed in Vol. K, Page 517, Deed
15 Records, Bee County, Texas, in the George A. Kerr Survey, Abstract
16 209;

17 Thence N. 18° 10' W. with the eastern boundary line of said
18 Town of Pettus a distance of 2,560 feet to the Northeast corner of
19 said Town of Pettus;

20 Thence S. 71° 50' W. along the northern boundary line of said
21 Town of Pettus a distance of 103.9 feet;

22 Thence N. 60° 26' W. a distance of 40.3 feet;

23 Thence N. 71° 50' E. a distance of 214 feet;

24 Thence Northeasterly along the northern right-of-way line of
25 F. M Highway No. 623, rotating 24° 53' 53" about a radial center with
26 radius of 449.26 feet, an arc distance of 195.23 feet, to a point on
27 said northern right-of-way line of said Highway No. 623;

1 Thence N. 48° 14' E. along said Northern right-of-way line of
2 said Highway No. 623 a distance of 50.66 feet to a corner of that
3 certain tract of land conveyed by George A. Ray, Jr. to the Pettus
4 Independent School District by Deed recorded in Volume 218, Page
5 292, Bee County records;

6 Thence N. 05° 20' W. with the eastern boundary of said tract of
7 land conveyed by George A. Ray, Jr. to said School District a
8 distance of 298.08 feet for a corner;

9 Thence S. 84° 17' W. a distance of 1,114.1 feet to a point for
10 corner;

11 Thence N. 60° 26' W. a distance of 480.8 feet;

12 Thence S. 52° 40' W. a distance of 477.5 feet to the most
13 easterly eastern boundary line of the Danaho Refinery tract,
14 described in Deed of Trust Records, Volume 64, Page 424, Bee County
15 records;

16 Thence N. 18° 10' W. with said most easterly eastern boundary
17 line of the said Danaho Refinery tract a distance of 1,819.5 feet to
18 the Northeast corner of said Danaho Refinery tract;

19 Thence S. 71° 50' W. with the northern boundary line of said
20 Danaho Refinery tract, at 734 feet pass a 3/4 inch iron pipe set in
21 the eastern right-of-way line of the T & NO (S. P.) railroad
22 property, and continuing on the same course along the westerly
23 projection of said Northern boundary line of the said Danaho
24 Refinery tract a distance of approximately 2250 feet to a point in
25 the centerline of Medio Creek;

26 Thence down the centerline of said Medio Creek with its
27 meanders in a generally southerly direction to a point in said

1 centerline from whence the Northeast corner of the Denver C.
2 Roberts 32.08 acre tract (description recorded in Deed Volume 184,
3 Page 302) bears S. 58° 14' W. at approximately 580 feet;

4 Thence S. 58° 14' W., at approximately 580 feet pass a one inch
5 iron pipe set at said Northeast corner of said Roberts 32.08 acre
6 tract, a total distance of 2,369 feet, more or less, to the
7 Northwest corner of said Roberts 32.08 acre tract;

8 Thence S. 70° 14' W. with the northern boundary line of the
9 Fred Hoffer 11.25 acre tract, the northern boundary line of the
10 Mineral Heights Subdivision, and continuing on the same course a
11 total distance of approximately 4,480 feet to the western boundary
12 line of said George A. Kerr Survey, Abstract 209;

13 Thence S. 20° E. with said western boundary line of said Kerr
14 Survey a distance of approximately 943.5 feet to a point, said point
15 being S. 20° E. 150 feet from the intersection of said western
16 boundary line of said Kerr Survey and the southern right-of-way
17 line of F. M. Highway No. 623;

18 Thence N. 70° 14' E. along a line parallel to and 150 feet at
19 right angles southerly from said southern right-of-way line of
20 F. M. Highway No. 623 a distance of approximately 6,880 feet, and
21 continuing in a generally easterly direction along the tangents and
22 curves of said line parallel to and 150 feet at right angles
23 southerly from such southern right-of-way line of said F. M.
24 Highway 623 to a point in the centerline of said Medio Creek;

25 Thence in a generally southerly and westerly direction down
26 the centerline of said Medio Creek with its meanders a distance of
27 approximately 1,310 feet to its intersection with a line projected

1 800 feet westerly at right angles from the northerly projection of
2 the western right-of-way line of U. S. Highway No. 181, and from
3 such intersection a point in the centerline of said T. & NO Railroad
4 bears N. 71° 50' E. at 970 feet;

5 Thence in a generally southerly direction along the tangents
6 and curves of a line parallel to and 800 feet westerly at right
7 angles from said northerly projection and said western right-of-way
8 line of said highway a distance of approximately 2,650 feet to a
9 point from whence the southeast corner of the George A. Ray, Jr.
10 75.64 acre tract bears S. 79° 20' E. at 843.8 feet and from whence a
11 point in said western right-of-way line of U. S. Highway No. 181
12 bears S. 86° 53' E. at 800 feet;

13 Thence S. 86° 53' E. a distance of 689 feet to the point of
14 intersection of the centerlines of two small creeks from whence a
15 1/4 inch iron pipe set at the southeast corner of said George A.
16 Ray, Jr. 75.64 acre tract bears S. 49° 55' E. at 184.5 feet;

17 Thence in a generally easterly direction up the centerline of
18 that one of the said two small creeks which runs approximately S.
19 86° 53' E., with its meanders, under U. S. Highway No. 181 and the T &
20 NO Railroad and continuing up said creek to a point in its
21 centerline from whence a point in the eastern right-of-way line of
22 said T & NO Railroad bears N. 86° 53' W. at 800 feet and from whence
23 said Southeast corner of said Ray 75.64 acre tract bears S. 86° 54'
24 W. at 1,028 feet;

25 Thence in a generally northeasterly direction along the
26 tangents and curves of a line parallel to and 800 feet easterly at
27 right angles from the eastern right-of-way line of said T & NO

1 Railroad a distance of approximately 3,000 feet to a point in the
2 centerline of a small creek;

3 Thence up the centerline of said small creek with its
4 meanders in a generally northeasterly direction a distance of
5 approximately 940 feet to a point in the southern boundary line of
6 the Town of Pettus from whence the Southeast corner of said Town of
7 Pettus bears N. 71° 50' E. at approximately 700 feet;

8 Thence N. 71° 50' E along said southern boundary line of the
9 Town of Pettus a distance of approximately 700 feet to the Southeast
10 corner of the Town of Pettus, the place of beginning, containing 600
11 acres more or less, in Bee County, Texas.

12 SECTION 2.05. Section 1, Chapter 4, Acts of the 58th
13 Legislature, Regular Session, 1963, is amended to read as follows:

14 Sec. 1. The ~~Under and pursuant to the provisions of Section~~
15 ~~59 of Article XVI, Constitution of Texas, a Conservation and~~
16 ~~Reclamation District is hereby created and incorporated in Willacy~~
17 ~~County, Texas, to be known as "Port Mansfield Public Utility~~
18 ~~District," hereinafter referred to as the "District," and the]~~
19 boundaries of the Port Mansfield Public Utility District ~~[said~~
20 ~~District]~~ shall be as follows:

21 STARTING with the U. S. Coastal and Geodetic Survey,
22 permanent bench Sauz, which is located as latitude 26 degrees, 32
23 minutes, 16.012 seconds, and longitude 97 degrees, 25 minutes,
24 13.527 seconds;

25 THENCE, at an azimuth 202 degrees, 32 minutes, for a distance
26 of 351.4 feet to the point of beginning, said point being at the
27 ordinary high tide line on the shoreline of Red Fish Bay and being

1 the southeast corner of said District;

2 THENCE, west (azimuth 270 degrees, 0 minutes) for a distance
3 of 7,940 feet to a point, said point being the southwest corner of
4 said District;

5 THENCE, north (azimuth 0 degrees, 0 minutes) for a distance
6 of 11,880 feet to a point, said point being the northwest corner of
7 said District;

8 THENCE, east (azimuth 90 degrees, 0 minutes) for a distance
9 of 5,280 feet to the ordinary high tide line on the shore line of Red
10 Fish Bay, said point being the northeast corner of said District;

11 THENCE, generally southward, following said ordinary high
12 tide line of Red Fish Bay to the southeast corner of said District
13 and POINT OF BEGINNING, containing 1,760 acres of land, more or
14 less, and being out of and a part of the San Juan de Carricitos Grant
15 in Willacy County, Texas.

16 SECTION 2.06. Section 2, Chapter 29, Acts of the 55th
17 Legislature, 1st Called Session, 1957, is amended to read as
18 follows:

19 Sec. 2. [~~It is expressly determined and found that all of~~
20 ~~the territory included with the area of the district will be~~
21 ~~benefited by the works and projects which are to be accomplished by~~
22 ~~the Authority pursuant to the powers conferred by the provisions of~~
23 ~~Article XVI, Section 59, of the Constitution of Texas.] The area of
24 the Donahoe Creek Watershed Authority shall be all of that
25 territory enclosed within the following metes and bounds
26 description, to-wit:~~

27 BEGINNING at a point in the center of Little River on the

1 North line of the Juan J. Acosta Grant, in Milam County, Texas,
2 where the west ROW line of Farm-Market Road No. 486 crosses said
3 River;

4 Thence about S 20 W with the West ROW line to its'
5 intersection with the South ROW line of Farm-Market Road #487,
6 which is also the North line of the San Gabriel River Water Control
7 and Improvement District No. 1.

8 Thence with the North line of said District as follows:

9 Thence with the South ROW line of F-M Road No. 487 in a
10 westerly direction, through the Communities of Sharp and Davilla to
11 the point where said ROW line crosses the Milam, Bell Counties line.

12 Thence S 20 W with the Milam and Bell County lines to their
13 common corner on the North line of Williamson County.

14 Thence N 65 W with the Bell and Williamson County lines to the
15 point where said line crosses the North line of the M F
16 DeGraffenreid Survey No. 107.

17 Thence N 70 W with the North line of the M F DeGraffenreid
18 Survey No. 107 to the N W corner of same.

19 Thence S 20 W with the West line of said survey No. 107, and
20 the East lines of the M F DeGraffenreid Surveys Nos. 109 and 110, to
21 the S E corner of Survey No. 110.

22 Thence N 70 W with the south line of Survey No. 110, to the N E
23 corner of the M F DeGraffenreid Survey No. 111.

24 Thence S 20 W with the East line of Survey No. 111, to the S E
25 corner of Survey No. 111.

26 Thence N 70 W with the South line of Survey No. 111, to the
27 lower S W corner of Survey No. 111, on the East line of the J B

1 Rogers Survey No. 9.

2 Thence N 20 E with the east line of the J B Rogers Survey No. 9
3 to the N E corner of same.

4 Thence N 70 W with the North line of the J B Rogers Survey to N
5 W corner of same.

6 Thence S 20 W with the West line of the J B Rogers Survey to
7 the S W corner of same, the S E corner of the I & G N Railroad Co.
8 Survey No. 196.

9 Thence N 70 W with the south line of the I & G N RR Co Surveys
10 Nos. 196 and 195 to the S W corner of Survey No. 195.

11 Thence N 19 W with the West line of Survey No. 195 to the N W
12 corner, in the south line of the Willis Donahoe Survey.

13 Thence N 70 W with the south lines of the Willis Donahoe and
14 Edward Ryan surveys, to the lower S W corner of the Edward Ryan
15 Survey, in the East line of the W A Jenkins Survey.

16 Thence N 19 W with the Jenkins and Ryan Surveys, to the lower
17 N W corner of the Ryan Survey, the S W corner of the J. J.
18 Stubblefield Survey.

19 Thence N 71 E with the south line of the J J Stubblefield
20 Survey to the S E corner of same.

21 Thence N 19 W with the East line of the J J Stubblefield
22 Survey to the N E corner of same.

23 Thence southwesterly with the North line of the J J
24 Stubblefield Survey, to the N W corner of same, the N E corner of the
25 Herman Aiken Survey, an angle corner in the South line of the Wm
26 Adams Survey.

27 Thence S 71 W with the south line of the Wm Adams Survey to the

1 S W corner of same, in the East line of the A A Lewis Survey.

2 Thence N 19 W with the West line of the Wm Adams Survey and the
3 East line of the A A Lewis Survey, to the point in the East line of
4 the Lewis Survey where the South ROW line of F-M Road #487 crosses
5 same.

6 Thence Southwesterly across the A A Lewis and the Robert Lile
7 Surveys, to the point where the F-M Road crosses the Lile West line.

8 Thence here leaving the line of the San Gabriel District and
9 following the West line of the Robert Lile Survey, N 19 W to the
10 point where it intersects the East ROW line of US Highway #81.

11 Thence Northeasterly with the ROW line of US Highway #81, to
12 the point where said ROW line crosses the North line of the Lile
13 Survey.

14 Thence N 71 E with the Robert Lile Survey North line to the N E
15 corner of said Lile Survey, at or near the N W corner of the Wm B
16 McClellan Survey.

17 Thence N 71 E with the North line of the McClellan Survey,
18 crossing the Williamson-Bell County line, to the N E corner of the
19 McClellan Survey.

20 Thence S 19 E with the East line of the McClellan Survey to
21 the N W corner of the Samuel Wolfenbarger Survey.

22 Thence with the North lines of the Wolfenbarger and the Jesse
23 B Holman Survey, N 71 E to the N E corner of the Holman Survey to the
24 N W corner of the Josiah Chalk Survey.

25 Thence N 71 E with the North line of the Josiah Chalk Survey
26 and the North line of the H. Barney Survey, Abstract No. 1064, and
27 the South line of the Rueben Plummer Survey, to the S E corner of the

1 Plummer Survey and the N E corner of the H. Barney Survey.

2 Thence S 19 E with the upper East line of the H. Barney
3 Survey, to an Ell corner of the Barney Survey.

4 Thence N 71 E with the lower North line of the Barney Survey,
5 to the Eastmost N E corner, at the N W corner of the Amos Pollard
6 Survey, Abstract #667, and at the S W corner of the Henry Barney
7 Survey, Abst. #950.

8 Thence S 70 E with the South line of the Henry Barney Survey
9 to the S E corner of the Survey.

10 Thence N 20 E with the East line of the Henry Barney Survey to
11 the N W corner of the John L. Christoph Survey.

12 Thence S 70 E with the North line of the Christoph Survey to
13 the point where (about 0.6 miles distant) a County road crosses the
14 survey line.

15 Thence in a Northerly direction about 0.5 miles, with the
16 road and crossing a part of the M F DeGraffenreid Survey, Abstract
17 No. 275, to the S W corner of the John Laise Survey, Abst. #515, also
18 an Ell corner of the DeGraffenreid Survey.

19 Thence N 71 E with the South line of the Laise Survey and the
20 line of the DeGraffenreid Survey, to the point where another County
21 road intersects said lines, about the upper N W corner of the
22 DeGraffenreid Survey.

23 Thence in an E SE direction with the County road, along or
24 near the North line of this DeGraffenreid Survey and the North line
25 of another M F DeGraffenreid Survey, Abstract No. 274, to a bend in
26 the road.

27 Thence S 20 W with the road, about 0.4 miles to a fork in the

1 road.

2 Thence S 70 E with the road, about 0.6 miles to another bend
3 in the road, on or near the East line of the DeGraffenreid Survey,
4 in the West line of the Joseph Branham Survey, Abstract No. 123.

5 Thence N 20 E with the road and survey lines, about 0.1 miles
6 to another bend in the road.

7 Thence S 70 E about 0.6 miles and with the road to a bend.

8 Thence N 20 E about 0.1 miles with the road, to another bend.

9 Thence S 70 E about 1.0 miles to a crossroad.

10 Thence S 20 W about 0.1 miles to a crossroad.

11 Thence S 70 E at about 0.6 miles cross the East line of the J.
12 Branham Survey and the West line of the William Newland Survey, in
13 all about 0.9 miles to a bend.

14 Thence N 20 E with the road about 0.6 miles to a bend.

15 Thence S 70 E with the road about 0.1 miles to the East ROW
16 line of the M K & T Railroad running between Bartlett and Holland,
17 Texas.

18 Thence Northerly with the ROW line cross the Newland Survey,
19 and across the Lucian Barney Survey, to the point where said ROW
20 line crosses the North line of the Barney Survey and the South line
21 of the James B. Wills Survey.

22 Thence S 70 E with the South line of the J. B. Wills and the
23 George Allen Surveys, to the S E corner of the George Allen Survey.

24 Thence N 20 E with the East lines of the George Allen and the
25 J D Sholl Surveys, to the point where the center of F-M Road running
26 from just South of Holland through Vilas, crosses the East line of
27 the Sholl Survey.

1 Thence with the center of said road, in an easterly
2 direction, passing through Vilas, to the East line of Bell County,
3 the West line of Milam County, Texas.

4 Thence N 20 E with the County lines, to the point where said
5 line is crossed by Little River.

6 Thence in an Easterly and Southeasterly direction with the
7 River after about 6 miles a fork in the River bed, follow the new
8 channel, after about 6 miles more the new channel rejoins the old
9 channel, continue with old channel about 1 mile more to the POINT OF
10 BEGINNING.

11 SECTION 2.07. Section 1, Chapter 398, Acts of the 51st
12 Legislature, Regular Session, 1949, is amended to read as follows:

13 Sec. 1. The Duval County Conservation and Reclamation
14 District consists [~~Under and pursuant to the provisions of Article~~
15 ~~16, Section 59, of the Constitution of Texas, there is hereby~~
16 ~~created within the State of Texas, in addition to the districts into~~
17 ~~which the state has heretofore been divided, a conservation and~~
18 ~~reclamation district to be known as the Duval County Conservation~~
19 ~~and Reclamation District, hereinafter sometimes referred to as the~~
20 ~~"District," and consisting~~] of that part of the State of Texas which
21 is included within the boundaries of Duval County, exclusive of
22 that part of Duval County comprising the Freer Water Control and
23 Improvement District, of Duval County, and including that part of
24 Jim Wells County within the corporate limits of the City of San
25 Diego, Texas.

26 SECTION 2.08. Section 1, Chapter 613, Acts of the 59th
27 Legislature, Regular Session, 1965, is amended to read as follows:

1 Sec. 1. The [~~Under and pursuant to the provisions of Section~~
2 ~~59 of Article XVI, Constitution of Texas, a conservation and~~
3 ~~reclamation district is hereby created and incorporated in~~
4 ~~Galveston County, Texas, to be known as "Flamingo Isles Municipal~~
5 ~~Utility District of Galveston County, Texas," hereinafter referred~~
6 ~~to as the "District," and the]~~ boundaries of the Flamingo Isles
7 Municipal Utility District of Galveston County, Texas, [~~said~~
8 ~~District~~] shall be as follows:

9 All that certain tract of land situated wholly within
10 Galveston County, Texas, and being a part of the James Spillman
11 League, Abstract #175, part of the Arthur Burke Survey, Abstract
12 #25, part of the J. Butler Survey #16, Abstract #194, part of the J.
13 Butler Survey #18, Abstract #196, all of the J. Butler Survey #17,
14 Abstract #195 and all of the R. M. Brackenridge Survey, Abstract No.
15 38, the boundaries of the herein described tract being more fully
16 described as follows, to wit:

17 BEGINNING at a point where the Westerly line of said James
18 Spillman League intersects the Southerly line of that certain tract
19 of land conveyed to the G. C. & S. F. Railroad by deed of record in
20 Vol. 387, Page 117, in said County Clerk's office;

21 THENCE, in an Easterly direction along the Southerly line of
22 said G. C. & S. F. property to its most Southerly corner;

23 THENCE, in a Northerly direction along its most Easterly line
24 to the Southerly line of the G. C. & S. F. Railroad right of way;

25 THENCE, in an Easterly direction along the Southerly line of
26 said right of way to the most Northerly corner of a subdivision
27 known as West Galveston, out of said James Spillman League, map of

1 said Subdivision being of record in Vol. 92, Page 470, in said
2 County Clerk's office;

3 THENCE, in a general Southerly direction along the Westerly
4 line of said Subdivision to its West corner;

5 THENCE, in a Southeasterly direction along the Southerly line
6 of said Subdivision passing the shore line of Galveston Bay and
7 continuing on same course to the intersection with the
8 Southeasterly line of said James Spillman League;

9 THENCE, in a general Southwesterly direction along the
10 Southeast line of said League to the most Easterly corner of said R.
11 M. Brackenridge Survey;

12 THENCE, in a general Southwesterly direction along the
13 Southeasterly line of said Brackenridge Survey to its most
14 Southerly corner;

15 THENCE, in a Westerly direction along the most Southerly line
16 of said Brackenridge Survey to its most Westerly corner;

17 THENCE, in a general Northerly direction along the Westerly
18 line of said Brackenridge Survey, same being the Easterly line of
19 the L. T. Yowell Survey, Abstract 216, to the most Northerly corner
20 of said Brackenridge Survey, same being the most Easterly corner of
21 said Yowell Survey and on the Southerly line of said Spillman
22 League;

23 THENCE, in a general Westerly direction along the Southerly
24 line of said Spillman League, same being the Northerly line of said
25 Yowell Survey to the Southwesterly corner of said Spillman League,
26 same being the Northwest corner of said Yowell Survey and on the
27 Easterly line of the J. Butler Survey #17, same being on the

1 Easterly line of a tract of land conveyed to John W. Mecom by deed of
2 record in Vol. 1537, Page 521, in said County Clerk's office;

3 THENCE, in a general Southerly direction along the Easterly
4 line of said J. Butler Survey #17 to its Southeast corner, same
5 being the Northeast corner of the Maco Stewart Survey Abstract
6 #666;

7 THENCE, in a general Westerly direction along the Southerly
8 line of the J. Butler Survey #17 and the J. Butler Survey #18 and
9 along the Northerly line of said Maco Stewart Survey to the
10 Southwesterly corner of the J. Butler Survey #18 same being the
11 Southeasterly corner of the Wm. Rhodes Survey, Abstract 171, same
12 being the Southwesterly corner of the aforesaid John W. Mecom
13 Tract;

14 THENCE, in a general Northerly direction along the West line
15 of said J. Butler Survey #18 same being the Easterly line of said
16 Wm. Rhodes Survey to a re-entrant corner of said John W. Mecom
17 Tract;

18 THENCE, in an Easterly direction along said Mecom Tract to
19 another re-entrant corner in the J. Butler Survey #18;

20 THENCE, in a general Northerly direction along the Westerly
21 line of said Mecom Tract passing the Northerly line of the J. Butler
22 Survey #18 same being the Southerly line of the J. Butler Survey #16
23 and continuing along the Westerly line of said Mecom Tract to the
24 Southerly line of the Thomas Toby Survey, Abstract #193 same being
25 another re-entrant corner in said John W. Mecom Tract;

26 THENCE, in a general Easterly direction along the Southerly
27 line of said Toby Survey to its Southeast corner same being another

1 re-entrant corner of said Mecom Tract;

2 THENCE, in a Northerly direction along the Easterly line of
3 said Thomas Toby Survey and along a Westerly line of the J. Butler
4 Survey #16 to the Southwesterly corner of the Arthur Burke Survey,
5 Abstract #26 same being the most Northerly corner of said Mecom
6 Tract;

7 THENCE, in a general Easterly direction along the Southerly
8 line of said Arthur Burke Survey, Abstract #26 and along the
9 Northerly line of said Butler Survey #16 same being a Northerly line
10 of said Mecom Tract to the Southeast corner of said Arthur Burke
11 Survey, Abstract #25 being another re-entrant corner of said Mecom
12 Tract and a re-entrant of said J. Butler Survey #16;

13 THENCE, in a Southerly direction along the Westerly line of
14 said Arthur Burke Survey, Abstract #25 and along a line in the J.
15 Butler Survey #16 to the Southwest corner of said Arthur Burke
16 Survey, Abstract #25 same being a re-entrant corner in said Mecom
17 Tract and also a reentrant corner of the J. Butler Survey #16;

18 THENCE, in a general Easterly direction along the Southerly
19 line of said Arthur Burke Survey, Abstract #25 and along the
20 Northerly line of said J. Butler Survey #16 same being along the
21 most Southerly Northerly line of said Mecom Tract to the Northeast
22 corner of said J. Butler Survey #16 same being the Southeasterly
23 corner of said Arthur Burke Survey, Abstract #25, and being the
24 Northeast corner of aforementioned Mecom Tract and on the Westerly
25 line of the James Spillman League;

26 THENCE, in a general Northerly direction along the West line
27 of said James Spillman League and the Easterly line of the Arthur

1 Burke Survey, Abstract #25 to the place of beginning.

2 SECTION 2.09. Section 2, Chapter 268, Acts of the 53rd
3 Legislature, Regular Session, 1953, is amended to read as follows:

4 Sec. 2. The [~~District shall be situated in Wise County,~~
5 ~~Texas, and the~~] boundaries of the Wise County Water Supply District
6 [~~thereof~~] shall be as follows:

7 BEGINNING At a point in the original South Boundary Line of
8 said City of Decatur, Texas, which point is 1 mile South of the
9 center of the Public Square in Decatur, Texas, an iron pipe about 2
10 feet long, about 6 inches above the ground, a mesquite tree bears
11 North 50 1/2° West 82';

12 THENCE East with the original South line of the City Limits of
13 Decatur, Texas to the East Boundary Line of the Samuel Perrin
14 Survey, Abstract No. 684, and the West Boundary Line of the A. J.
15 Walker Survey, Abst. No. 860;

16 THENCE South 1° 31' West of the West Boundary Line of said
17 Walker Survey and East Boundary Line of said Perrin Survey to the
18 Northeast Right of Way Line of U.S. Highway 81-287 as now located;

19 THENCE Southeasterly with said Right of Way to the South
20 Boundary Line of said A. J. Walker Survey;

21 THENCE West with the South Boundary Line of said A. J. Walker
22 Survey to its intersection with the East Right of Way Line of State
23 Highway F.M. 730 as now located;

24 THENCE Southerly with the East Right of Way Line of said
25 Highway F.M. 730 to its intersection with the East Boundary Line of
26 the A. G. Harris Survey, Abstract No. 375;

27 THENCE South with the East Boundary Line of said A. G. Harris

1 Survey to the South Boundary Line of same, being the South Boundary
2 Line of the Valley View Acres Subdivision according to the recorded
3 plat thereof;

4 THENCE West with the South Boundary Line of said Valley View
5 Acres Subdivision and said A. G. Harris Survey, to the Southwest
6 corner of said Subdivision, in the center of a creek;

7 THENCE with the meanderings of said creek as follows:

8 North 6° 7' West 87.3 feet;

9 North 46° 55' East 189 feet;

10 North 53° 55' East 230.4 feet;

11 South 88° 44' East 176.3 feet;

12 North 63° 42' East 187.1 feet;

13 North 62° East 182 feet;

14 THENCE South 38° 58' East 69.5 feet to a corner;

15 THENCE South 81° 04' East 30' to a 2" iron stake in old fence
16 line;

17 THENCE North 34° 04' West 151.2 feet to a stake on the bank of
18 a creek;

19 THENCE North 13° 19' East 53 feet to a stake on the bank of a
20 creek;

21 THENCE North 50° 55' East 275 feet to the North corner of a
22 1.88 acre tract in said Harris Survey in the West Right of Way Line
23 of State Highway F M 730;

24 THENCE North with said Right of Way Line 64' to the Southeast
25 corner of a 1 acre tract conveyed to E. H. McDaniel by deed recorded
26 in Volume 208, Page 256, Deed Records of Wise County, Texas;

27 THENCE West with the South Line of said 1 acre tract 100' to

1 its Southwest corner, a stake in the East Bank of a creek;

2 THENCE Northeasterly with the meanderings of said creek to
3 the North Boundary Line of said 1 acre tract;

4 THENCE East 49' to the Northeast corner of said 1 acre tract,
5 in the West Right of Way Line of State Highway F M 730;

6 THENCE Northerly with the West Right of Way Line of said State
7 Highway F M 730 to its intersection with the South Boundary Line of
8 the A. J. Walker Survey, Abstract No. 860;

9 THENCE West with the South Boundary Line of said Walker
10 Survey to its Southwest corner, being the Southeast corner of the
11 Samuel Perrin Survey, Abstract No. 684;

12 THENCE North 1° 31' East with the East Boundary Line of said
13 Perrin Survey and West Boundary Line of said Walker Survey to the
14 Southwest Right of Way Line of said U. S. Highway 81-287;

15 THENCE Northwesterly with said Right of Way to its
16 intersection with the original South City Limits Line of said City
17 of Decatur;

18 THENCE West with the original South City Limits Line of said
19 City of Decatur to the East Right of Way Line of State Highway FM 51,
20 as now located;

21 THENCE Southwesterly with said Right of Way Line to its
22 intersection with the North Boundary Line of a 310 acre tract out of
23 the Samuel Isaacs Survey Abst. No. 454, conveyed to Wise County,
24 Texas by deed of record in Volume 6, Page 4, of the Deed Records of
25 Wise County, Texas;

26 THENCE East with the North Boundary Line of said 310 acre
27 tract to its Northeast corner, being the Northeast corner of said

1 Isaacs Survey;

2 THENCE South 1645 varas with the East Line of said 310 acre
3 tract to its Southeast corner;

4 THENCE West with the South Line of said 310 acre tract 1066
5 varas to its Southwest corner, a stake from which a B. J. bears
6 North 10° West 7 1/2 varas;

7 THENCE North with the East Boundary Line of said 310 acre
8 tract to the Southwest corner of a 76 acre tract in said Isaacs
9 Survey conveyed to G. R. Lipsey, Sr., by deed of record in Volume
10 214, Page 566, Deed Records of Wise County, Texas;

11 THENCE North 85° East, 42 varas to a corner in the West Right
12 of Way Line of said State Highway FM 51;

13 THENCE Northeasterly with the West Right of Way Line of said
14 State Highway F M 51 to its intersection with the original South
15 City Limits Line of said City of Decatur;

16 THENCE West with said original South City Limits Line to the
17 original Southwest corner of said City of Decatur;

18 THENCE North with the original West City Limits Line of the
19 City of Decatur to its intersection with the South Line of a 100
20 acre tract in the D. Moses Survey, Abstract No. 537 described in
21 deed to Coke L. Gage recorded in Volume 204, Page 244, of the Deed
22 Records of Wise County, Texas;

23 THENCE West with the South Line of said Coke L. Gage 100 acre
24 tract 747 varas to its Southwest corner;

25 THENCE North 950 varas to the Northwest corner of said 100
26 acre tract in the South Right of Way Line of said State Highway No.
27 24;

1 THENCE West with the South Right of Way Line of said State
2 Highway No. 24 to a point due South of the most Easterly Southwest
3 corner of an 84 acre tract in the J. H. Moore Survey, Abstract No.
4 538, described as FIRST TRACT in deed to C. L. Gage recorded in
5 Volume 208, Page 354, Deed Records of Wise County, Texas;

6 THENCE North crossing said State Highway No. 24, continuing
7 with the most Easterly West Line of said 84 acre tract to an inward
8 corner of same, said point being 225 varas North of the North Right
9 of Way Line of said Highway;

10 THENCE West 150 varas to the most Westerly Southwest corner
11 of said 84 acre tract;

12 THENCE North 682 varas to the Northwest corner of the said 84
13 acre tract;

14 THENCE East with the North Line of said 84 acre tract and
15 continuing East along the North Line of a 72 acre tract described as
16 SECOND TRACT in Deed to C. L. Gage recorded in Volume 208, Page 354,
17 Deed Records of Wise County, Texas, to the Northeast corner of said
18 72 acre tract on the West boundary line of the G. M. Vigil Survey,
19 Abst. No. 857;

20 THENCE South with the West Boundary Line of said G. M. Vigil
21 Survey to the Northwest corner of a 29.5 acre tract in said survey,
22 described as THIRD TRACT in deed to C. L. Gage recorded in Volume
23 208, Page 354, Deed Records of Wise County, Texas, a corner in
24 center of a branch;

25 THENCE Easterly with the meanderings of said branch to the
26 Northeast corner of said 29.5 acre tract, in the West Boundary Line
27 of the J. B. Williams Survey, Abst. No. 880;

1 THENCE Easterly continuing with the meanderings of said
2 branch to the Northeast corner of a 15.5 acre tract described as the
3 FOURTH TRACT in deed to C. L. Gage, recorded in Volume 208, Page
4 354, Deed Records of Wise County, Texas, being a point in the West
5 Boundary Line of a 40 acre tract in said J. B. Williams Survey
6 conveyed to J. H. Valcik by deed of record in Volume 170, Page 142,
7 Deed Records of Wise County, Texas;

8 THENCE North 40.0 varas to the Northwest corner of said J. H.
9 Valcik 40 acre tract;

10 THENCE East 171.47 varas to the Most Westerly Northeast
11 corner of said 40 acre tract;

12 THENCE South at 100 varas a branch at 133.2 varas an inward
13 corner in said 40 acre tract;

14 THENCE South 76° 39' East 254.52 varas to the Most Easterly
15 Northeast corner of said 40 acre tract;

16 THENCE South 217.6 varas to the Northwest corner of a 7 acre
17 tract in said J. B. Williams Survey conveyed to T. F. Cook by deed of
18 record in Volume 224, Page 419, Deed Records of Wise County, Texas;

19 THENCE East with the North Line of said 7 acre tract and the
20 North Line of a 2.5 acre tract in said Williams Survey conveyed to
21 J. Sherman by deed of record in Vo. 242, Page 431, Deed Records of
22 Wise County, Texas, a total distance of 239 varas to the Northeast
23 corner of said 2.5 acre;

24 THENCE North to the Northwest corner of a 9 acre tract in said
25 J. B. Williams Survey conveyed to L. P. Cole by deed of record in
26 Volume 208, Page 596, Deed Records of Wise County, Texas;

27 THENCE East with the North Line of said 9 acre tract a

1 distance of about 3 feet to the Original West City Limits Line of
2 the City of Decatur;

3 THENCE North with said Original West City Limits Line to the
4 original Northwest corner of said City of Decatur, an iron pipe for
5 corner, an elm tree bears South 75° West 30 1/2 feet;

6 THENCE East with the original North City Limits Line of said
7 City of Decatur, to its intersection with the center of the
8 Decatur-Forestburg road, being now designated as State Highway FM
9 730;

10 THENCE Northerly with the center of said Highway to the
11 Southwest corner of a 19.6 acre tract conveyed to J. N. Hinkle by
12 deed of record in Volume 158, Page 317, Deed Records of Wise County,
13 Texas;

14 THENCE North 76° 39' East with South Line of said 19.6 acre
15 tract 613.2 feet to a fence corner;

16 THENCE North 2° 2' West 329.3 feet to a fence corner;

17 THENCE South 79° 53' East 654.4 feet to a fence corner;

18 THENCE North 12° 28' West 543.7 feet to the North line of a
19 121.16 acre tract conveyed to the City of Decatur by deed of record
20 in Volume 156, Page 24, Deed Records of Wise County, Texas;

21 THENCE North 300' to a fence corner;

22 THENCE East 280' to a fence corner;

23 THENCE North 14° 20' East 751.3 feet to a corner in the South
24 Boundary Line of the J. M. Birdwell Survey, Abst. No. 68, being in
25 the South Boundary Line of the 80 acre Decatur Golf Club tract;

26 THENCE West with the South Boundary Line of said J. M.
27 Birdwell Survey to its Southwest corner;

1 THENCE North 475 varas to the Northwest corner of said
2 Decatur Golf Club 80 acre tract;

3 THENCE East 950 varas to the Northeast corner of said Decatur
4 Golf Club tract, in the East Boundary Line of said J. M. Birdwell
5 Survey;

6 THENCE South with the East Boundary Line of said J. M.
7 Birdwell Survey 475 varas to its Southeast corner;

8 THENCE West with the South Boundary Line of said J. M.
9 Birdwell Survey, to the most Northerly Northeast corner of the
10 Decatur Municipal Airport;

11 THENCE South 1028' with the East Boundary Line of said
12 Decatur Airport tract to an inward corner of same;

13 THENCE East 364.2 feet to the Northeast corner of a 121.16
14 acre tract conveyed to the City of Decatur by deed of record in
15 Volume 156, Page 24, Deed Records of Wise County, Texas;

16 THENCE South 1597.2 feet to the North Boundary Line of the R.
17 J. Lindley Survey, Abst. No. 1201, and the South Boundary Line of
18 the J. M. Birdwell Survey, Abst. No. 67;

19 THENCE East 18' to the center of the Decatur Cemetery Road;

20 THENCE With the center of said road South 33° West 450' to a
21 corner;

22 THENCE West 333.3 feet to a fence corner;

23 THENCE South 133.3 feet with fence line to the Northeast
24 corner of the N. H. Munger Survey, Abst. No. 581;

25 THENCE West with the North Boundary Line of said N. H. Munger
26 Survey to its intersection of the East Right of Way Line of State
27 Highway FM 730;

1 THENCE South with said Right of Way Line to the original North
2 City Limits Line of said City of Decatur;

3 THENCE East with said original North City Limits Line to the
4 original Northeast corner of said City of Decatur;

5 THENCE South with the original East City Limits Line of said
6 City of Decatur 10560 feet to an iron pipe for the original
7 Southeast corner of said City of Decatur, a railroad crossing sign
8 bears South 7° West 247 feet;

9 THENCE West with the original South City Limits Line of the
10 City of Decatur to the place of beginning.

11 ~~[It is hereby found that all land thus included in said
12 District will be benefited by the improvements to be acquired and
13 constructed by said District.]~~

14 SECTION 2.10. Section 1, Chapter 198, Acts of the 53rd
15 Legislature, Regular Session, 1953, is amended to read as follows:

16 Sec. 1. ~~[Under and pursuant to the provisions of Article 16,
17 Section 59 of the Constitution, a conservation and reclamation
18 district is hereby created and incorporated in Medina County,
19 Texas, to be known as Medina County Water Control and Improvement
20 District No. 2, hereinafter sometimes referred to as the
21 "District."]~~ The boundaries of the Medina County Water Control and
22 Improvement District No. 2 [thereof] shall be as follows:

23 BEGINNING at a point in the east line of Survey No. 438,
24 Joseph McGinnis, which point is south 6276 feet from the northeast
25 corner of said Survey No. 438;

26 THENCE, West 1559 feet to a reentrant corner;

27 THENCE, North 2670 feet to a corner;

1 THENCE, West 1735 feet to a corner;
2 THENCE, South 1476 feet to a reentrant corner;
3 THENCE, West 1386 feet to a corner;
4 THENCE, South 1122 feet to a reentrant corner;
5 THENCE, West 812 feet to a corner;
6 THENCE, South 45° west 1016 feet to a point in the south
7 right-of-way line of the old Eagle Pass Road;
8 THENCE, South 300 feet to a corner;
9 THENCE, North 80° 30' east 770 feet to a reentrant corner;
10 THENCE, South 2320.6 feet to a corner, the southwest corner
11 of the District;
12 THENCE, East 5620 feet to a corner, the extreme southeast
13 corner of the District;
14 THENCE, North 1690 feet to a reentrant corner;
15 THENCE, East 370 feet to a corner;
16 THENCE, North 450 feet to a reentrant corner;
17 THENCE, East 1914 feet to a corner;
18 THENCE, North 610 feet to a point in the north line of Survey
19 No. 441, D. C. Burnett;
20 THENCE, West 1120 feet with the north line of said Survey No.
21 441, D. C. Burnett;
22 THENCE, North 390 feet to a corner;
23 THENCE, West 1333 feet to the point of beginning; containing
24 approximately 608 acres.

25 SECTION 2.11. Section 1, Chapter 324, Acts of the 57th
26 Legislature, Regular Session, 1961, is amended to read as follows:

27 Sec. 1. The Rio Grande Palms Water District [~~Under and~~

1 ~~pursuant to the provisions of Article XVI, Section 59, of the~~
2 ~~Constitution, a conservation and reclamation district within~~
3 ~~Cameron County, Texas, is hereby created and incorporated, to be~~
4 ~~known as "Rio Grande Palms Water District," hereinafter sometimes~~
5 ~~referred to as the "District." Said District]~~ is situated within
6 the Espiritu Santo and San Pedro de Carricitos Grants of land in
7 Cameron ~~said~~ County. The boundaries thereof are as follows:

8 BEGINNING at the Northeast corner of what is commonly known
9 as Noriega Tract out of Share No. One, Espiritu Santo Grant, Cameron
10 County, Texas, said corner being the intersection of the East line
11 of the said Share No. One with the centerline of 80.0 feet Iowa
12 Gardens County Road, for the Northeast corner of the tract herein
13 described;

14 THENCE, with the North line of said Noriega Tract and the said
15 centerline of Iowa Gardens Road, N 80 deg 41 min 30 sec W 4037.9 feet
16 to the Northwest corner of said Noriega Tract and the Northeast
17 corner of Lot 1, Block 1, Barreda Gardens Subdivision;

18 THENCE, along the centerline of said Iowa Gardens Road, along
19 the North line of said Block 1, N 80 deg 44 min W 2811.1 feet to the
20 Northwest corner of said Block 1 and the Northeast corner of Block
21 2, Barreda Gardens Subdivision;

22 THENCE, along the centerline of said Iowa Gardens Road, along
23 the North line of said Block 2, N 80 deg 44 min W 3731.3 feet
24 (recorded map shows 3735.3 feet) to the Northwest corner of said
25 Block 2 and the Northeast corner of Block 3, Barreda Gardens
26 Subdivision;

27 THENCE, along the centerline of said Iowa Gardens Road, along

1 the North line of said Block 3, N 80 deg 33 min W 5110.1 feet
2 (recorded map call for 5113.2 feet) to the Northwest corner of Block
3 3 and the Northeast corner of a 196.8 acre tract out of the Northern
4 part of what is commonly called the Sams-Porter Tract in San Pedro
5 de Carricitos Grant, Cameron County, Texas;

6 THENCE, along the centerline of said Iowa Gardens Road, along
7 the North line of the Sams-Porter Tract, N 80 deg 52 min W 2343.8
8 feet to the Northwest corner of the said 196.8 acre tract, for the
9 Northwest corner of this tract;

10 THENCE, along the West line of said Sams-Porter Tract, along
11 the West line of said 196.8 acre Tract, S 9 deg 41 min W 2711.5 feet
12 to an intersection with the centerline of 100 ft. State Highway No.
13 4 for a corner;

14 THENCE, running 100 feet perpendicularly distance from and
15 parallel to the centerline of the St. Louis, Brownsville and Mexico
16 railroad with the centerline of 100 ft State Highway No. 4, S 45 deg
17 30 min E 2045.8 feet to the beginning of a curve to the right having
18 a radius of 5830.0 feet and a central angle of 10°-03 1/2' and whose
19 chord is S 40° 28' 15" East 1022.1 ft.;

20 THENCE, with said curve 1023.5 feet to the intersection with
21 west line of Barreda Gardens Subdivision, same being the division
22 line between the San Pedro de Carricitos and the Espiritu Santos
23 Grants;

24 THENCE, along the west line of the Barreda Gardens
25 Subdivision, N 8 deg 10 min 30 sec E 73.3 feet to a point on the
26 Northeast right of way of the 100 ft State Highway No. 4 for a
27 corner;

1 THENCE, along the Northeast right of way line of 100 ft. State
2 Highway No. 4, S 35 deg 00 min E 3692.2 feet to the northwest corner
3 of the Barreda Townsite;

4 THENCE, along the northeast right of way line of 100 ft. State
5 Highway No. 4, S 35 deg 00 min E 3833.2 feet to the beginning of a
6 curve to the right with a central angle of 3 deg 05 min and a radius
7 of 5879.5 feet and whose chord is S 33° 27' 30" East 316.3 feet;

8 THENCE, with said curve a distance of 316.4 feet to end of
9 said curve;

10 THENCE, along the northeast right of way line of 100 ft State
11 Highway No. 4, S 31 deg 55 min E 2123.8 feet to the Westernmost
12 corner of Lot 35, Block 9, Barreda Gardens Subdivision;

13 THENCE, along the Northeast right of way line of 100 ft State
14 Highway No. 4, along the Southwest line of Lots 35, 37, 38, 39, 40,
15 and 41, Block 9, Barreda Gardens Subdivision, S 31 deg 55 min E
16 669.0 feet to a point for a corner, said point being N 31 deg 55 min
17 W 45.0 feet from the Southernmost corner of Lot 41;

18 THENCE, crossing State Highway No. 4 and said railroad, S 58
19 deg 05 min W 200.0 ft. to a point on the southwest right of way line
20 of said railroad, 50.0 feet perpendicularly from its centerline,
21 said point being N 31 deg 55 min W 45.0 feet from the easternmost
22 corner of Lot 52, Block 10, Barreda Gardens Subdivision;

23 THENCE, along the northeast line of Lots 52 and 51, Block 10,
24 N 31 deg 55 min W 155.0 feet to the northernmost corner of Lot 51;

25 THENCE, along the line between Lots 51 and 50, S 58 deg 05 min
26 W 217.8 feet;

27 THENCE, S 31 deg 55 min E 800.0 feet to a point on the line

1 between Lots 58 and 59, Block 10;
2 THENCE, along the line between Lots 58 and 59, S 58 deg 05 min
3 W 217.8 feet to the southernmost corner of Lot 58 and the
4 westernmost corner of Lot 59;
5 THENCE, along the northeast line of Lot 1, Block 10, N 31 deg
6 55 min W 66.3 feet to a point for a corner;
7 THENCE, 150 feet perpendicularly from the southeast and south
8 lines of Lot 1, Block 10, S 58 deg 05 min W 673.2 feet and N 82 deg 30
9 min W 342.7 feet to a point on the line between Lot 1 and Lot 38,
10 Block 10;
11 THENCE, along the line between Lot 1 and Lot 38, S 31 deg 55
12 min E 135.9 feet to a point for a corner;
13 THENCE, 45.0 feet perpendicularly north of and parallel to
14 the south line of Lot 38, N 82 deg 30 min W 965.0 feet to a point for
15 a corner;
16 THENCE, 45.0 feet perpendicularly east of and parallel to the
17 west line of Lot 38, N 7 deg 30 min E 45.0 feet to a point for a
18 corner;
19 THENCE, 90.0 feet perpendicularly north of and parallel to
20 the south line of Lot 38, Block 10, Lots 16 and 15, Block 11, N 82
21 deg 30 min W, at 45.0 feet the east line of Lot 16, a total distance
22 of 1980.0 feet to a point for a corner;
23 THENCE, 45.0 feet perpendicularly east of and parallel to the
24 west line of Lot 15, N 7 deg 30 min E 615.0 feet to a point for a
25 corner;
26 THENCE, N 82 deg 30 min W 9.9 feet to a point on the line
27 between Lots 15 and 7 to a point for a corner;

1 THENCE, along the line between Lots 15 and 7, N 45 deg 27 min E
2 101.4 feet to a point for a corner;

3 THENCE, 125.0 feet perpendicularly north of and parallel to
4 the south line of Lots 7, 8 and 9, Block 11, Barreda Gardens
5 Subdivision, N 82 deg 30 min W, at 757.5 feet the west line of Lot 7,
6 a total distance of 2077.5 feet to a point on the west line of Lot 9
7 and the east line of Lot 10;

8 THENCE, along the line between Lots 9 and 10, S 7 deg 30 min W
9 80.0 feet to a point for a corner;

10 THENCE, 45.0 feet perpendicularly north of and parallel to
11 the south line of Lots 10 and 71, N 82 deg 30 min W 1066.5 feet to a
12 point on the west line of Lot 71, Block 11, for a corner;

13 THENCE, along the west line of Lot 71, S 24 deg 13 min W 47.0
14 feet to the southwest corner of Lot 71 and the northwest corner of
15 Lot 70;

16 THENCE, along the west lines of Lot 70, S 37 deg 16 min W 460.8
17 feet and S 8 deg 10 min 30 sec W 260.0 feet to the southwest corner
18 of Lot 70 and the northwest corner of Lot 69;

19 THENCE, along the West line of Barreda Gardens Subdivision, S
20 8 deg 10 min 30 sec W, at 6600.4 the southwest corner of Block 11 and
21 the northwest corner of Block 12 of said subdivision, at 14,520.8
22 the southwest corner of Lot 42, Block 12 and the northwest corner of
23 Lot 66, Block 12, a total distance of 16,368.5 feet to the southwest
24 corner of Lot 66, Block 12;

25 THENCE, along the south lines of Lot 66, and Lot 65C Block 12,
26 S 21 deg 02 min E 196.7 feet, S 51 deg 00 min 30 sec E 152.0 feet and
27 S 63 deg 25 min 30 sec E 349.0 feet to a point that is 100.0 feet from

1 the centerline of the Main Canal on the north bank of the Resaca del
2 Rancho Viejo;

3 THENCE, crossing said resaca, 100.0 feet perpendicularly
4 west of the centerline of the Main Canal flume, S 8 deg 03 min W
5 132.9 feet to the northwest corner of Lot 8, Block 15, Barreda
6 Gardens Subdivision;

7 THENCE, along the west line of Lot 8, Block 15, 100.0 feet
8 perpendicularly west of the centerline of the Main Canal, S 7 deg 57
9 min 30 sec W 1496.4 feet to the Southwest corner of Lot 8 and the
10 northwest corner of Lot 9, Block 15;

11 THENCE, along the west line of Lots 9, 10, 23 and 24, Block
12 15, S 8 deg 10 min 06 sec W, 2435.2 feet to the westernmost corner of
13 said Lot 24;

14 THENCE, along the northeast right of way line of an abandoned
15 railroad, along the southwest lines of Lot 24, Block 15, Lots 25, 3,
16 4, 9, 8, 19, 20, 29, 28, and 35, Block 16 S 10 deg 44 min 31 sec E a
17 distance of 6670.2 to a point for a corner;

18 THENCE, S 79 deg 15 min 29 sec W, at 100.0 feet the east line
19 of Lot 36, Block 16, and continuing 200.0 feet perpendicularly
20 south of and parallel to the north line of Lot 36, a total distance
21 of 866.0 feet to a point on the west line of Lot 36;

22 THENCE, along the west line of Lot 36, S 10 deg 31 min 07 sec E
23 209.2 feet to the southwest corner of Lot 36;

24 THENCE, along the south line of Lot 36, and the south line of
25 Lot 35, S 82 deg 30 min E at 814.0 feet the southeast corner of Lot
26 36, at 920.5 feet the southwest corner of Lot 35, a total distance
27 of 1154.7 feet to a point for a corner;

1 THENCE, in Santander Townsite, 100.0 ft. perpendicularly
2 West of the centerline of Main Canal S 15 deg 27 min E 71.2 feet to
3 the beginning of a curve to the left with a central angle of 15 deg
4 12 min and a radius of 1532.5 feet and whose chord is S 23° 03' East
5 405.4 feet;

6 THENCE, along the arc of said curve, a distance of 406.5 feet
7 to the end of said curve;

8 THENCE, S 30 deg 39 min E, 100.0 feet perpendicularly from the
9 centerline of Main Canal, a distance of 1216.8 feet to a point for a
10 corner;

11 THENCE, 100.0 feet perpendicularly west of the Main Canal
12 siphon, S 9 deg 01 min E, at 17.8 feet the south line of Santander
13 Townsite and the North line of the Cameron County Floodway, a total
14 distance of 622.4 feet to a point for a corner;

15 THENCE, S 30 deg 10 min E, at 17.6 feet the Northwest corner
16 of Lot 5, Block 18, Barreda Gardens Subdivision, along the east line
17 of Lots 5, 6, 9, 10, 13, 14, 15, 16 and 17, Block 18, a total
18 distance of 5784.0 feet to the beginning of a curve to the right
19 with a central angle of 90 deg and a radius of 711.3 feet and whose
20 chord is S 14° 50' west 1005.9 feet;

21 THENCE, along the arc of said curve, along the east line of
22 Lot 17 and the south line of Lot 18, a distance of 1117.3 feet to the
23 end of said curve;

24 THENCE, along the south line of Lot 18, S 59 deg 50 min W at
25 996.6 feet the southwest corner of Lot 18, and the east line of the
26 Military Highway, a total distance of 1079.1 feet to the west line
27 of the Military Highway;

1 THENCE, along the West line of the Military Highway, in a
2 northerly direction along the arc of a curve to the right with a
3 radius of 995.4 feet and whose chord is North 15° 18' 05" West 47.6
4 feet, a distance of 47.6 feet to the northernmost corner of the
5 Settling Basin tract as shown on the Barreda Gardens Subdivision;

6 THENCE, S 52 deg 37 min W 816.6 feet, S 54 deg 17 min W 1046.8
7 feet, S 31 deg 09 min E 1513.6 feet, S 39 deg 20 min 30 sec E 727.5
8 feet and S 7 deg 36 min W 1228.5 feet to a point on the bank of the
9 Rio Grande River;

10 THENCE, along the bank of the Rio Grande, N 70 deg 43 min E, at
11 224.2 feet the southwest corner of a 1.36 acre tract, at 504.5 feet
12 the south corner of Lot 28, Block 18, a total distance of 692.6 feet
13 and N 65 deg 23 min E 605.4 feet to a point for a corner;

14 THENCE, N 7 deg 28 min E 741.5 feet, N 87 deg 54 min E 548.0
15 feet and N 8 deg 10 min E 124.8 feet to a point in the south line of
16 Lot 23, Block 18, for a corner;

17 THENCE, along the south line of Lots 23 and 24, Block 18, S 86
18 deg 50 min 30 sec W 1495.8 feet to the southwest corner of Lot 24;

19 THENCE, along the southwest lines of Lots 25, 26, and 27, N 39
20 deg 20 min 30 sec W 800.0 feet, N 31 deg 09 min W 760.9 feet to the
21 beginning of a curve to the right with a central angle of 87 deg 09
22 min and a radius of 600.1 feet and whose chord is North 12 deg 25 min
23 30 sec East 827.2 feet;

24 THENCE, along the arc of said curve, along the west line of
25 Lot 27, a distance of 912.8 feet to the end of said curve;

26 THENCE, along the north line of Lot 27, N 56 deg 00 min E
27 1042.0 feet to the northernmost corner of Lot 27 on the west line of

1 the Military Highway;

2 THENCE, along the west line of the Military Highway, in a
3 northerly direction along an arc of a curve to the right with a
4 radius of 995.4 feet and whose chord is north 28 deg 42 min 56 sec
5 west 13.4 feet, a distance of 13.4 feet to a point for a corner;

6 THENCE, crossing the Military Highway, N 59 deg 50 min E, at
7 80.1 feet the east line of the Military Highway and the westernmost
8 corner of Lot 19, Block 18, a total distance of 1106.3 feet to the
9 northernmost corner of Lot 19;

10 THENCE, S 30 deg 10 min E 200.0 feet to a point that is the
11 beginning of a curve to the left with a central angle of 90 deg and a
12 radius of 1111.3 feet, and whose tangents are North 59 deg, 50 min
13 East 1111.3 feet and North 30 deg 10 min W 1111.3 ft.;

14 THENCE, along the arc of said curve in a northeasterly and
15 northerly direction, a distance of 1745.6 feet to the end of said
16 curve;

17 THENCE, 400.0 feet perpendicularly east of the east lines of
18 Lots 17 and 16, N 30 deg 10 min W 514.5 feet to a point for a corner;

19 THENCE, N 82 deg 25 min 30 sec W 126.5 feet to a point for a
20 corner;

21 THENCE, 300.0 feet perpendicularly east of the east line of
22 Lots 16, 15, 14, 13, 10, 9, 6 and 5, N 30 deg 10 min W, at approx 1200
23 ft the south line of Lot 12, and then 100.0 feet perpendicularly
24 east of the west line of Lots 12, 11, 8, 7, 4, Block 18, a total
25 distance of 5171.0 feet to a point on the north line of Lot 4 and the
26 south line of the Cameron County Floodway;

27 THENCE, along the north line of Lot 4 and the south line of

1 the floodway, S 60 deg 29 min W 93.2 feet to a point for a corner;

2 THENCE, crossing said floodway, 100 feet perpendicularly
3 east of the siphon on the Main Canal, N 9 deg 01 min W, at 544.7 feet
4 the south line of the Santander Townsite and the north line of said
5 floodway, a total distance of 604.5 feet;

6 THENCE, 100.0 feet perpendicularly east of the centerline of
7 the Main Canal, in Santander, N 30 deg 39 min W a distance of 1255.0
8 feet to the beginning of a curve to the right with a radius of 1332.5
9 feet and a central angle of 14 deg 37 min and whose chord is North 23
10 deg 20 min 30 sec west 339.0 feet;

11 THENCE, along the arc of said curve, a distance of 339.9 feet
12 to a point on the south line of Lot 35, Block 16, for a corner;

13 THENCE along the south line of Lot 35, S 82 deg 30 min E 108.6
14 feet to a point for a corner;

15 THENCE, 200.0 feet perpendicularly from the centerline of the
16 main canal, N 15 deg 27 min W 403.3 feet to the beginning of a curve
17 to the left with a central angle of 20 deg 03 min and a radius of
18 518.4 feet and whose chord is north 25 deg 28 min 30 sec west 180.4
19 feet;

20 THENCE, along the arc of said curve 200 feet from the
21 centerline of the canal, a distance of 181.2 feet to the end of said
22 curve;

23 THENCE, N 35 deg 30 min W 219.4 feet to the beginning of a
24 curve to the right with a central angle of 24 deg 45 min and a radius
25 of 755.4 feet and whose chord is North 23 deg 07 min 30 sec west
26 323.8 feet;

27 THENCE, along the arc of said curve 200 feet from the

1 centerline of the main canal, a distance of 326.4 feet to the end of
2 said curve;

3 THENCE, 300.0 feet perpendicularly east of the west line of
4 Lots 28, 29, 20, 19, 8, 9, 4, 3, and 25, Block 16 and Lot 24, Block
5 15, N 10 deg 44 min 31 sec W, at 2462.6 feet the north line of Lot 19
6 and the south line of Lot 8, at 5937.2 feet the north line of Lot 25,
7 Block 16 and the south line of Lot 24, Block 15, a total distance of
8 6044.7 feet to the beginning of a curve to the right with a central
9 angle of 18 deg 54 min 37 sec and a radius of 946 feet and whose
10 chord is north 01 deg 17 min 13 sec west 310.8 feet;

11 THENCE, along the arc of said curve a distance of 312.2 feet
12 to the end of said curve;

13 THENCE, 300.0 feet perpendicularly east of the west line of
14 Lots 24, 23, 10 and 9, Block 15, N 08 deg 10 min 06 sec E a distance
15 of 2231.0 feet to a point on the north line of Lot 9 and the south
16 line of Lot 8;

17 THENCE, 300.0 feet perpendicularly east of the west line of
18 Lot 8, Block 15, N 7 deg 57 min 30 sec E 1394.6 feet to a point on the
19 north line of Lot 8;

20 THENCE, along the north line of Lot 8, N 79 deg 39 min W 89.7
21 feet, and N 57 deg 02 min W 11.4 feet to a point that is 100.0 feet
22 perpendicularly east of the centerline of the canal siphon;

23 THENCE, 100.0 feet perpendicularly east of the centerline of
24 the canal siphon, crossing the Resaca del Rancho Viejo, N 8 deg 03
25 min E 170.8 feet to a point in the south line of Lot 65, Block 12, on
26 the north bank of said resaca;

27 THENCE, S 69 deg 11 min E 43.0 feet and S 77 deg 54 min 30 sec E

1 8.0 feet to a point that is 150 feet from the centerline of the Main
2 Canal;

3 THENCE, N 8 deg 03 min E 85.0 feet to the beginning of a curve
4 to the left with a central angle of 69 deg 24 min and a radius of
5 250.0 feet and whose chord is north 26 deg 39 min west 284.6 feet;

6 THENCE, with the arc of said curve, a distance of 302.8 feet
7 to the end of said curve;

8 THENCE, continuing 150 feet from the centerline of the canal,
9 N 61 deg 21 min W 365.5 feet to an angle point;

10 THENCE, continuing 150 feet from the centerline of the canal,
11 N 8 deg 09 min E, at 1818.5 feet the North line of Lot 66 and the
12 south line of Lot 42, Block 12, a total distance of 11,592.2 feet to
13 an angle point in Lot 63, Block 11;

14 THENCE, continuing 150 feet from the centerline of said
15 canal, N 7 deg 24 min 30 sec E 2108.9 feet to the north line of Lot 64
16 and the south line of Lot 66, Block 11;

17 THENCE, along the north line of Lot 64 and the south line of
18 Lot 66, N 82 deg 30 min W 50.0 feet to a point that is 100 feet from
19 the centerline of said canal;

20 THENCE, 100 feet from the centerline of said canal, N 7 deg 24
21 min 30 sec E 2640.0 feet to a point in the north line of Lot 69 and
22 the south line of Lot 70, Block 11, said point being S 82 deg 30 min
23 E 184.3 feet from the northwest corner of Lot 69 and the southwest
24 corner of Lot 70;

25 THENCE, along the north line of Lot 69 and the south line of
26 Lot 70, S 82 deg 30 min E 115.7 feet, said point being 300.0 feet
27 from the northwest corner of Lot 69 and the southwest corner of Lot

1 70;

2 THENCE, 300.0 feet perpendicularly east of the west line of
3 Lot 70, N 8 deg 10 min 30 sec E 178.6 feet and N 37 deg 16 min E 399.1
4 feet to a point that is 135.0 feet perpendicularly south of the
5 north line of Lot 70;

6 THENCE, 135.0 feet perpendicularly south of and parallel to
7 the north line of Lots 70 and 11, S 82 deg 30 min E 811.7 feet to a
8 point on the east line of Lot 11 and the west line of Lot 12;

9 THENCE, on the line between Lot 11 and Lot 12, N 7 deg 30 min E
10 90.0 feet to a point for a corner;

11 THENCE, 45.0 feet perpendicularly south of and parallel to
12 the north line of Lots 12, 13 and 14, S 82 deg 30 min E 1935.0 feet to
13 a point;

14 THENCE, 45.0 feet perpendicularly west of the east line of
15 Lot 14, S 7 deg 30 min W 615.0 feet to a point on the south line of
16 Lot 14 and the north line of Lot 19;

17 THENCE, along the south line of Lots 14, 15, and 16, S 82 deg
18 30 min E 1980.0 feet to a point;

19 THENCE, 45.0 feet perpendicularly west of the east line of
20 Lot 17, S 7 deg 30 min W 45.0 feet;

21 THENCE, S 82 deg 30 min E 45.0 feet to a point on the east line
22 of Lot 17, Block 11 and the west line of Lot 2, Block 10;

23 THENCE, along the line between said Lot 17 and Lot 2, S 7 deg
24 30 min W 105.0 feet;

25 THENCE, 150.0 feet perpendicularly south of and parallel to
26 the north line of Lot 2 and the northwest line of Lot 3, S 82 deg 30
27 min E 1373.7 feet and N 58 deg 05 min E 780.6 feet to a point in the

1 northeast line of Lot 3;

2 THENCE, along the northeast line of Lot 3, S 31 deg 55 min E
3 16.3 feet to a point;

4 THENCE, 50.0 feet perpendicularly southeast of and parallel
5 to the northwest line of Lot 61, Block 10, N 58 deg 05 min E 435.6
6 feet to a point on the northeast line of Lot 61, said point being on
7 the southwest right of way line of the St. Louis, Brownsville and
8 Mexico Railroad (50.0 feet from its centerline);

9 THENCE, along the said southwest right of way line, along the
10 northeast line of Lots 61 to 53, incl. N 31 deg 55 min W 805.0 feet
11 to a point, said point being S 31 deg 55 min E 45.0 feet from the
12 northernmost corner of Lot 53, Block 10;

13 THENCE, crossing the railroad right of way and State Highway
14 No. 4 right of way, N 58 deg 05 min E 200.0 feet to a point on the
15 southwest line of Lot 42, Block 9, said point being S 31 deg 55 min E
16 45.0 feet from the westernmost corner of Lot 42;

17 THENCE, along the southwest line of Lots 42 to 80, incl. Block
18 9 along the northeast right of way line of 100 ft State Highway No.
19 4, S 31 deg 55 min E 4268.5 feet to the east line of the Barreda
20 Gardens Subdivision, said point being on the west line of the Brooks
21 Tract;

22 THENCE, along the northeast right of way line of 100 ft State
23 Highway No. 4, S 31 deg 54 min E 1805.6 feet to the beginning of a
24 curve to the left with a central angle of 10 deg 57 min and a radius
25 of 5544.8 feet and whose tangents are S 31 deg 54 min east 531.5
26 feet, and south 42 deg 51 min east 531.5 feet;

27 THENCE, along the arc of said curve a distance of 1059.5 feet;

1 THENCE, N 47 deg 57 min E 6170.4 feet to a point on the east
2 line of Share one, Espiritu Santo Grant, and the east line of the
3 previously mentioned Noriega Tract;

4 THENCE, along the East line of Share No. One and the east line
5 of the Noriega Tract, N 7 deg 32 min E 12,739.8 feet to the place of
6 beginning, containing 4880 acres, more or less.

7 ~~[If there is any error or omission in the description of the~~
8 ~~boundaries of said District, as set forth in Section 1 of this Act,~~
9 ~~the Commissioners Court of Cameron County, Texas, is hereby~~
10 ~~authorized and directed to redefine said boundaries and correct the~~
11 ~~error or supply the omission.]~~

12 SECTION 2.12. Section 1, Chapter 520, Acts of the 59th
13 Legislature, Regular Session, 1965, is amended to read as follows:

14 Sec. 1. The ~~[Under and pursuant to the provisions of Section~~
15 ~~59, Article XVI, Constitution of the State of Texas, a conservation~~
16 ~~and reclamation district is hereby created and incorporated in~~
17 ~~Galveston County, Texas, to be known as "San Leon Municipal Utility~~
18 ~~District of Galveston County, Texas," hereinafter referred to as~~
19 ~~the "District," and the]~~ boundaries of the San Leon Municipal
20 Utility District of Galveston County, Texas, ~~[said District]~~ shall
21 be as follows:

22 Said District shall be composed of two separate tracts of
23 land situated entirely within Galveston County, Texas, and
24 described by metes and bounds as follows:

25 Tract No. 1

26 BEGINNING at the point of intersection of the southerly shore
27 line of Galveston Bay with the northeasterly projection of the

1 southeasterly line of the J. Rogers Survey, Abstract No. 168,
2 Galveston County, Texas;

3 THENCE in a southwesterly direction following said
4 southeasterly line of said Rogers Survey, being also the
5 northwestern line of the Amos Edwards League, Abstract No. 10, and
6 being also the northwestern line of San Leon Farm Home Tracts as
7 shown by the map thereof recorded in Volume 238, page 25, Deed
8 Records of Galveston County, to a point for corner, being the
9 intersection of said survey line with the easterly line of Lot 2,
10 Block No. 25-A of San Leon Farm Home Tracts;

11 THENCE in a southerly direction following the easterly line
12 of Lot No. 2 and Lot No. 7 in said Block No. 25-A, and continuing in
13 the same direction across Ave. H and along the easterly line of Lot
14 No. 2 and Lot No. 7 in Block No. 26 and continuing in the same
15 direction across San Leon Road and along the easterly line of Lot
16 No. 2 in Block No. 41 to a point for corner, said point being the
17 northwesterly corner of Lot No. 4 in said Block No. 41;

18 THENCE in an easterly direction with the northerly line of
19 said Lot. No. 4 to a point for corner, being the northeasterly
20 corner of said Lot No. 4;

21 THENCE in a southerly direction with the easterly line of
22 Block No. 41 and continuing in the same direction across Ave. L and
23 along the easterly line of Block No. 44 to a point for corner, being
24 the southeasterly corner of Lot No. 3 in said Block No. 44;

25 THENCE in an easterly direction across 29th St. (F. M. No.
26 517) and continuing in the same direction along the northerly line
27 of Lot No. 1 in Block No. 45 to a point for corner, being the

1 northeasterly corner of said Lot No. 1;

2 THENCE in a northerly direction with the westerly line of Lot
3 No. 3 in Block No. 45 to a point for corner, being the northwesterly
4 corner of said Lot No. 3;

5 THENCE in an easterly direction with the northerly line of
6 said Lot. No. 3 to the northeasterly corner of said Lot No. 3;

7 THENCE in a southerly direction with the easterly line of
8 said Lot No. 3 to a point for corner, being the southeasterly corner
9 of said Lot No. 3;

10 THENCE in an easterly direction with the northerly line of
11 Lot No. 5 in said Block No. 45 and continuing in the same direction
12 across 28th St. and along the northerly line of Lots Nos. 8, 7, 6 and
13 5 in Block No. 46 to a point for corner on the easterly line of said
14 Block No. 46;

15 THENCE in a southerly direction with the easterly line of
16 said Block No. 46 and continuing in the same direction across Ave. N
17 to a point for corner, being the northeasterly corner of Block No.
18 56;

19 THENCE in an easterly direction across 27th St. and along the
20 northerly line of Block No. 55 and continuing in the same direction
21 across 26th St. along the northerly line of Block No. 54 to a point
22 for corner, being the northeasterly corner of Lot No. 1 in said
23 Block No. 54;

24 THENCE in a southerly direction with the easterly line of Lot
25 No. 1 in Block No. 54 to a point for corner, being the southeasterly
26 corner of said Lot No. 1;

27 THENCE in an easterly direction with the northerly line of

1 Lot No. 7 and Lot No. 6 in said Block No. 54 to a point for corner,
2 being the southwesterly corner of Lot No. 4 in said Block No. 54;

3 THENCE in a northerly direction with the westerly line of
4 said Lot No. 4, in Block No. 54 to a point for corner in the
5 northerly line of said Block No. 54;

6 THENCE in an easterly direction with the northerly line of
7 said Block No. 54 to a point for corner, being the northeasterly
8 corner of said Block No. 54;

9 THENCE in a southerly direction with the easterly line of
10 Block No. 54 and continuing in the same direction across Ave. P and
11 along the easterly line of Block No. 68 and continuing in the same
12 direction across Ave. Q to a point for corner, being the
13 northeasterly corner of Block No. 71;

14 THENCE in an easterly direction across 25th St. and following
15 the northerly line of Block No. 70 and the easterly projection
16 thereof to a point on the shore line of Dickinson Bay;

17 THENCE in a generally easterly direction along the shore line
18 of Dickinson Bay to its intersection with the western shore line of
19 Galveston Bay at April Fool Point;

20 THENCE in a generally northerly direction along the western
21 shore line of Galveston Bay to Eagle Point;

22 THENCE in a generally westerly direction along the southern
23 shore line of Galveston Bay to its intersection with the
24 northeasterly projection of the southeasterly line of the J. Rogers
25 Survey, Abstract No. 168, the place of beginning, and containing
26 3,200 acres of land, more or less.

27 BEGINNING at a point on the westerly shore line of Dickinson

1 Bay in Galveston County, Texas, said point being designated as
2 Point "A" in the description of the present boundary line of the
3 City of Texas City, Texas, said point also being in the easterly
4 line of a parkway opposite Block No. 70 of San Leon Farm Home Tracts
5 as shown by the map thereof recorded in Volume 238, page 25, Deed
6 Records of Galveston County, and being also the most southerly
7 corner of a 1.054 acre tract of land described in deed dated October
8 10, 1960, from E. W. Barnett, Trustee, to Houston Lighting & Power
9 Company;

10 THENCE from said Point "A" in a northwesterly direction to a
11 point located in Lot No. 3 in Block No. 67 of said San Leon Farm Home
12 Tracts, said point being located 75 feet east and 65.5 feet south
13 from the northwesterly corner of said Lot No. 3;

14 THENCE in a northerly direction parallel with the westerly
15 line of said Lot No. 3 and across Ave. P to a point in the southerly
16 line of Lot No. 6 in Block No. 55 of said San Leon Farm Home Tracts;

17 THENCE westerly with the southerly line of said Block No. 55
18 and continuing in the same direction across 27th St. and along the
19 southerly line of Block No. 56 to a point for corner, said point
20 being the southwesterly corner of Lot No. 5 in said Block No. 56;

21 THENCE in a northerly direction with the westerly line of
22 said Lot No. 5 in Block No. 56 to the northwesterly corner of said
23 Lot No. 5;

24 THENCE in a westerly direction with the southerly line of
25 Lots Nos. 3, 2 and 1 in said Block No. 56 and continuing in the same
26 direction across 28th St. and along the southerly line of Lots Nos.
27 4 and 3 of Block No. 57 to a point for corner, being the

1 southwesterly corner of said Lot No. 3 in Block No. 57;

2 THENCE in a northerly direction with the westerly line of
3 said Lot No. 3 in Block No. 57 and a northerly projection thereof to
4 a point for corner, being the southwesterly corner of Lot No. 6 in
5 Block No. 45;

6 THENCE in a westerly direction with the southerly line of
7 Block No. 45 and continuing in the same direction across 29th St.
8 (F.M. 517) and along the southerly line of Block No. 44 and the
9 westerly projection thereof to a point for corner, being the
10 southeasterly corner of Block No. 43;

11 THENCE in a southerly direction with the easterly line of
12 Block No. 59 to a point for corner, being the southeasterly corner
13 of said Block No. 59;

14 THENCE in a westerly direction with the south line of said
15 Block No. 59 and the westerly projection thereof to a point for
16 corner, being the southeasterly corner of Block No. 60;

17 THENCE in a southerly direction with the easterly line of
18 Block No. 62 and its southerly projection, and continuing in the
19 same direction along the easterly line of Block No. 77 and its
20 southerly projection, and continuing in the same direction along
21 the easterly line of Block No. 79 to a point for corner, said point
22 being at the intersection of the easterly line of said Block No. 79
23 and the northeasterly line of State Highway No. 146;

24 THENCE in a northwesterly direction with the northeasterly
25 line of said State Highway No. 146 to its intersection with the
26 western line of Block No. 60A on the western line of said San Leon
27 Farm Home Tracts, being also the western line of the Amos Edwards

1 League, Abstract No. 10, Galveston County, Texas;

2 THENCE in a southerly direction along said western line of
3 said Amos Edwards League, being also the western line of said San
4 Leon Farm Home Tracts, to the southwest corner of said Amos Edwards
5 League on the northerly water's edge of Dickinson Bayou;

6 THENCE downstream following along said northerly water's
7 edge of Dickinson Bayou in a generally southerly, northeasterly and
8 easterly direction to the western shore line of Dickinson Bay;

9 THENCE in a generally northerly direction along said western
10 shore line of Dickinson Bay to Point "A" in the description of the
11 present boundary line of the City of Texas City, Texas, said point
12 also being in the easterly line of a parkway opposite Block No. 70
13 of San Leon Farm Home Tracts as shown by the map thereof recorded in
14 Volume 238, page 25, Deed Records of Galveston County, Texas, and
15 being also the most southerly corner of a 1.054 acre tract of land
16 described in deed dated October 10, 1960, from E. W. Barnett,
17 Trustee, to Houston Lighting and Power Company, the place of
18 beginning, and containing 1,850 acres of land, more or less, the
19 total area of said District being 5,050 acres, more or less.

20 SECTION 2.13. Section 1, Chapter 532, Acts of the 59th
21 Legislature, Regular Session, 1965, is amended to read as follows:

22 Sec. 1. The Treasure Island Municipal Utility District of
23 Brazoria County, Texas, [~~Under and pursuant to the provisions of~~
24 ~~Section 59 of Article XVI, Constitution of Texas, a conservation~~
25 ~~and reclamation district is hereby created and incorporated in~~
26 ~~Brazoria County, Texas, to be known as "Treasure Island Municipal~~
27 ~~Utility District of Brazoria County, Texas," hereinafter referred~~

1 ~~to as the "District," and said District]~~ shall consist of:

2 A tract containing 294.18 acres of land, more or less, being
3 that tract of land commonly known as San Luis Island out of the S. F.
4 Austin Peninsular League, Abstract 29, Brazoria County, Texas,
5 being all of the land in such league lying north of the following
6 described line:

7 BEGINNING at a concrete monument on the waters edge of what
8 was formerly called "Little Pass" when it separated the island from
9 the mainland, but whose easterly end is now filled by sand. Said
10 beginning point occupies a position of X = 3,235,945.21 feet and Y =
11 470,168.66 feet, Texas Plane Coordinate System, South Central Zone;
12 THENCE, S. 88° 36' 07" E. (grid bearing), at 353.71 feet pass
13 an iron rod in the northwest right of way line of a 120 foot road, at
14 482.25 feet pass an iron rod in the southeast right of way line of
15 said 120 foot road, at 2112.25 feet pass a concrete monument a total
16 distance of 2381.91 feet in all to the waters edge of the Gulf of
17 Mexico at mean high tide.

18 SECTION 2.14. Section 2, Chapter 436, Acts of the 66th
19 Legislature, Regular Session, 1979, is amended to read as follows:

20 Sec. 2. BOUNDARIES. The [~~authority's~~] boundaries of the
21 South Texas Water Authority will encompass all of that portion of
22 Kleberg County that is located within Kingsville Independent School
23 District, as of January 1, 1979, and all of that portion of Nueces
24 County that is located south and west of a line that is described as
25 beginning at a point on the Kleberg-Nueces County line that is
26 located approximately one mile south of the intersection of FM Road
27 70 and FM Road 892; thence northward to the said intersection;

1 thence northward along FM Road 892 to its intersection with FM Road
2 2826; thence westward along FM Road 2826 to its intersection with
3 County Road 77; thence northward along County Road 77 to its
4 intersection with County Road 44; thence westward along County Road
5 44 to its intersection with the line; which as of January 1, 1979,
6 formed the division between Commissioners Precincts Nos. 1 and 2;
7 thence along the meanderings of the said line to its intersection
8 with the Nueces-Jim Wells County line excepting therefrom all land
9 comprising the area as of January 1, 1979, of Nueces County Water
10 Control and Improvement District No. 5 and of that portion of Lower
11 Nueces River Water Supply District which is located within the
12 boundaries described above~~[, and these boundaries form a closure,~~
13 ~~and no mistake shall affect the organization, existence, and~~
14 ~~validity of the authority, or the right to issue any type of bonds~~
15 ~~or refunding bonds, for the purposes for which the authority is~~
16 ~~created, or to pay principal of and interest on the bonds, or the~~
17 ~~right to assess, levy, and collect taxes, or in any other manner~~
18 ~~affect the legality or operation of the authority, its bonds, or its~~
19 ~~governing body].~~

20 SECTION 2.15. Section 1, Chapter 337, Acts of the 65th
21 Legislature, Regular Session, 1977, is amended to read as follows:

22 Sec. 1. The ~~[Under and pursuant to the provisions of Article~~
23 ~~XVI, Section 59, of the Texas Constitution, a conservation and~~
24 ~~reclamation district may be created and established in Jefferson~~
25 ~~County, Texas, in the manner provided in Section 1A of this Act, to~~
26 ~~be known as "West Jefferson County Municipal Water District" (the~~
27 ~~"district"), and the]~~ boundaries of the West Jefferson County

1 Municipal Water District [~~said district~~] shall be as follows:

2 Beginning at the Northeast corner of the Shelby Corzine
3 Survey, Abstract 14, the same being the southeast corner of the
4 Samuel Stivers League;

5 Thence West along the south line of the Samuel Stivers League
6 to the southwest corner of said Samuel Stivers League;

7 Thence North along the west line of the Samuel Stivers League
8 to its intersection with the centerline, or the projection thereof
9 of Brooks Road;

10 Thence West along the centerline of Brooks Road and the
11 projection thereof to its intersection with the east bank of Green
12 Pond Gully;

13 Thence in a southerly direction following the meanders of the
14 east bank of Green Pond Gully to its intersection with the north
15 bank of the North Fork of Taylor's Bayou;

16 Thence easterly following the meanders of the north bank of
17 the North Fork of Taylor's Bayou to its intersection with the North
18 or West right of way of Interstate Highway 10;

19 Thence in a southwesterly direction along the North or West
20 right of way of Interstate Highway 10 to its intersection with the
21 north bank of the South Fork of Taylor's Bayou;

22 Thence southeasterly along the meanders of the north bank of
23 the South Fork of Taylor's Bayou to its intersection with the
24 southeast bank of May Haw Bayou;

25 Thence southwesterly along the meanders of the southeast bank
26 of May Haw Bayou to its intersection with the North right of way of
27 State Highway 73;

1 Thence easterly along the North right of way of State Highway
2 73 to the intersection of a line 300 feet east of, and measured at
3 right angles to, the west line of the A. D. Knowlton Survey,
4 Abstract 668, and the J. W. Denny Survey, Abstract 747;

5 Thence northerly on a line 300 feet east of and parallel to
6 the west line of the A. D. Knowlton Survey, Abstract 668, and the J.
7 W. Denny Survey, Abstract 747, to the north bank of Taylor's Bayou;

8 Thence easterly following the meanders of the north bank of
9 Taylor's Bayou to its intersection with the east bank of
10 Hillebrandt Bayou;

11 Thence northwesterly following the meanders of the east bank
12 of Hillebrandt Bayou to its intersection with the west bank of
13 John's Gully;

14 Thence northerly following the meanders of the west bank of
15 John's Gully to its intersection with the west line of the Wm. N.
16 Sigler Survey, Abstract 48;

17 Thence northerly along the west line of the Wm. N. Sigler
18 Survey, Abstract 48, and the projection thereof past the northwest
19 corner of the said Wm. N. Sigler Survey, Abstract 48, to the
20 interior southwest corner of the David Cunningham Survey, Abstract
21 15;

22 Thence westerly along the south line of the west part of the
23 David Cunningham Survey, Abstract 15, to its northernmost southwest
24 corner;

25 Thence northerly along the west line of the David Cunningham
26 Survey, Abstract 15, to its northwest corner;

27 Thence westerly along the projection to the west of the north

1 line of the David Cunningham Survey, Abstract 15, to the west line
2 of the Marcelo Grange Survey, Abstract 26, said line also being the
3 east line of the C. Hillebrandt Survey, Abstract 28;

4 Thence northerly along the west line of the Marcelo Grange
5 Survey, Abstract 26, and the east line of the C. Hillebrandt Survey,
6 Abstract 28, to the projection east of the north line of the Shelby
7 Corzine Survey, Abstract 14, which is the same line as the south
8 line of the Samuel Stivers League;

9 Thence westerly along the projection east of the north line
10 of the Shelby Corzine Survey, Abstract 14, and the south line of the
11 Samuel Stivers League, to the point of beginning.

12 LESS AND EXCEPT all land lying within the boundaries of
13 Jefferson County Water Control and Improvement District No. 14,
14 which is more fully described as follows:

15 Lying in Jefferson County, Texas, and containing 160 acres,
16 more or less, out of the H. T. & B. R. R. Survey, No. 19, A-259 and H.
17 T. & B. R. R. Survey No. 18, A-570 and beginning for reference at the
18 Southeast corner of the H. T. & B. R. R. Survey, No. 19, A-259;

19 THENCE, due North 80.00 feet to a point lying on the North
20 right-of-way line of Lawhon Road to an iron pin as a Point of
21 Beginning;

22 THENCE, N 89° 50' W 2,560.00 feet, more or less, along the
23 North right-of-way line of said Lawhon Road to an iron pin being the
24 most Southwesterly corner of Martel Heights Subdivision, Section 1
25 as recorded in the Map Records of Jefferson County, Texas;

26 THENCE, N 26° 45' 30" W 785.40 feet to an iron pin;

27 THENCE, N 66° 07' E 278.10 feet to an iron pin;

- 1 (10) Sections 2, 3, 4, 5, 6, 7, and 8, Chapter 38, Acts
2 of the 57th Legislature, 3rd Called Session, 1962;
- 3 (11) Sections 2, 2A, 3, 4, 5, 6, 7, 8, and 9, Chapter 4,
4 Acts of the 58th Legislature, Regular Session, 1963;
- 5 (12) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,
6 Chapter 780, Acts of the 78th Legislature, Regular Session, 2003;
- 7 (13) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11,
8 Chapter 218, Acts of the 72nd Legislature, Regular Session, 1991;
- 9 (14) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 679,
10 Acts of the 62nd Legislature, Regular Session, 1971;
- 11 (15) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 412,
12 Acts of the 62nd Legislature, Regular Session, 1971;
- 13 (16) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 409,
14 Acts of the 62nd Legislature, Regular Session, 1971;
- 15 (17) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 699,
16 Acts of the 62nd Legislature, Regular Session, 1971;
- 17 (18) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 456,
18 Acts of the 62nd Legislature, Regular Session, 1971;
- 19 (19) Sections 1, 3, 4, 5, 6, 7, 8, and 9, Chapter 693,
20 Acts of the 65th Legislature, Regular Session, 1977;
- 21 (20) Sections 2, 3, 4, and 5, Chapter 492, Acts of the
22 83rd Legislature, Regular Session, 2013;
- 23 (21) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11,
24 Chapter 35, Acts of the 76th Legislature, Regular Session, 1999;
- 25 (22) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 352,
26 Acts of the 62nd Legislature, Regular Session, 1971;
- 27 (23) Sections 1, 3, 4, 5, 6, 7, 8, and 9, Chapter 742,

1 Acts of the 64th Legislature, Regular Session, 1975;
2 (24) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,
3 Chapter 1212, Acts of the 71st Legislature, Regular Session, 1989;
4 (25) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,
5 Chapter 1214, Acts of the 71st Legislature, Regular Session, 1989;
6 (26) Sections 2 and 3, Chapter 1188, Acts of the 82nd
7 Legislature, Regular Session, 2011;
8 (27) Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13,
9 14, and 15, Chapter 761, Acts of the 78th Legislature, Regular
10 Session, 2003;
11 (28) Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13,
12 14, and 15, Chapter 760, Acts of the 78th Legislature, Regular
13 Session, 2003;
14 (29) Sections 1, 2, 4, 5, 6, 7, 8, 9, and 10, Chapter
15 650, Acts of the 70th Legislature, Regular Session, 1987;
16 (30) Chapter 126, General Laws, Acts of the 44th
17 Legislature, Regular Session, 1935;
18 (31) Section 5, Chapter 119, Acts of the 50th
19 Legislature, Regular Session, 1947;
20 (32) Section 8, Article IV, Chapter 484, Acts of the
21 68th Legislature, Regular Session, 1983;
22 (33) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 11a, 12,
23 13, 14, and 15, Chapter 29, Acts of the 55th Legislature, 1st Called
24 Session, 1957;
25 (34) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
26 14, and 15, Chapter 398, Acts of the 51st Legislature, Regular
27 Session, 1949;

- 1 (35) Section 5, Chapter 452, Acts of the 58th
2 Legislature, Regular Session, 1963;
- 3 (36) Sections 3 and 4, Chapter 908, Acts of the 75th
4 Legislature, Regular Session, 1997;
- 5 (37) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, and 11,
6 Chapter 33, Acts of the 56th Legislature, Regular Session, 1959;
- 7 (38) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
8 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 633, Acts of the
9 61st Legislature, Regular Session, 1969;
- 10 (39) Sections 1, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter
11 246, Acts of the 58th Legislature, Regular Session, 1963;
- 12 (40) Sections 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,
13 Chapter 611, Acts of the 60th Legislature, Regular Session, 1967;
- 14 (41) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
15 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 605, Acts of
16 the 59th Legislature, Regular Session, 1965;
- 17 (42) Sections 2 and 3, Chapter 101, Acts of the 60th
18 Legislature, Regular Session, 1967;
- 19 (43) Sections 2 and 3, Chapter 579, Acts of the 61st
20 Legislature, Regular Session, 1969;
- 21 (44) Chapter 317, Acts of the 72nd Legislature,
22 Regular Session, 1991;
- 23 (45) Sections 1, 2, 4, 5, 6, 7, 8, 8A, 9, 10, 11, and
24 12, Chapter 245, Acts of the 54th Legislature, Regular Session,
25 1955;
- 26 (46) Chapter 371, Acts of the 74th Legislature,
27 Regular Session, 1995;

- 1 (47) Section 2, Chapter 1449, Acts of the 75th
2 Legislature, Regular Session, 1997;
- 3 (48) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11,
4 Chapter 613, Acts of the 59th Legislature, Regular Session, 1965;
- 5 (49) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
6 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 584, Acts of
7 the 59th Legislature, Regular Session, 1965;
- 8 (50) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
9 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 268, Acts of the
10 53rd Legislature, Regular Session, 1953;
- 11 (51) Sections 4 and 8, Chapter 76, Acts of the 59th
12 Legislature, Regular Session, 1965;
- 13 (52) Sections 1, 2(a), 2(c), 3, 4, 5, 6, 7, 8, 9, 10,
14 11, 12, 13, 14, 15, and 16, Chapter 638, Acts of the 60th
15 Legislature, Regular Session, 1967;
- 16 (53) Chapter 475, Acts of the 67th Legislature,
17 Regular Session, 1981;
- 18 (54) Sections 2, 3, 4, 5, 6, and 7, Chapter 198, Acts
19 of the 53rd Legislature, Regular Session, 1953;
- 20 (55) Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter
21 324, Acts of the 57th Legislature, Regular Session, 1961;
- 22 (56) Sections 2, 3, 4, 5, 6, 7, and 8, Chapter 520,
23 Acts of the 59th Legislature, Regular Session, 1965;
- 24 (57) Chapter 77, Acts of the 76th Legislature, Regular
25 Session, 1999;
- 26 (58) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
27 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 846, Acts of the

1 61st Legislature, Regular Session, 1969;

2 (59) Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter
3 532, Acts of the 59th Legislature, Regular Session, 1965;

4 (60) Chapter 508, Acts of the 54th Legislature,
5 Regular Session, 1955;

6 (61) Chapter 619, Acts of the 63rd Legislature,
7 Regular Session, 1973;

8 (62) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
9 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, Chapter 436,
10 Acts of the 66th Legislature, Regular Session, 1979; and

11 (63) Sections 1A, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
12 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 337, Acts
13 of the 65th Legislature, Regular Session, 1977.

14 ARTICLE 4. GENERAL MATTERS

15 SECTION 4.01. LEGISLATIVE INTENT OF NO SUBSTANTIVE CHANGE.

16 This Act is enacted under Section 43, Article III, Texas
17 Constitution. This Act is intended as a codification only, and no
18 substantive change in the law is intended by this Act. This Act
19 does not increase or decrease the territory of any special district
20 of the state as those boundaries exist on the effective date of this
21 Act.

22 SECTION 4.02. PRESERVATION OF VALIDATION MADE BY PREVIOUS

23 LAW. (a) The repeal of a law, including a validating law, by this
24 Act does not remove, void, or otherwise affect in any manner a
25 validation under the repealed law. The validation is preserved and
26 continues to have the same effect that it would have if the law were
27 not repealed.

1 (b) Subsection (a) of this section does not diminish the
2 saving provisions prescribed by Section [311.031](#), Government Code.

3 SECTION 4.03. EFFECTIVE DATE. This Act takes effect April
4 1, 2017.